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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 4, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes for March 7, 2006 and March 14, 2006 Special Board Meeting Minutes for the Budget and Finance Committee Meeting of March 15, 2006. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060141 **[To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital** Mayor

Ordinance appropriating $16,342,714, including the de-appropriation of $15,707,484 in current project funding to use this source for appropriation,

3 1223 07086 3718

and appropriating an additional $635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)

Enacted Number: 65-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060109 [Traffic Regulations] Supervisor Mirkarimi

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANE - ESTABLISH
Scott Street, northbound, from Haight Street to Oak Street.

NO TURN ON RED - ESTABLISH
Scott Street, northbound, at Oak Street.

(1/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 186-06
ADOPTED

060133 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Montgomery Street to 155 feet easterly
(creates new metered parking, but maintains Tow-Away 3 PM to 7 PM,

Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH
Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH
Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone) (both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND
Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;
San Jose Avenue, west side, from Farallones Street to 173 feet northerly;
San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;
San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;
San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;

San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and,
McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Parker Avenue, west side, from

Enacted Number: 187-06
ADOPTED

060134 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street,between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in

the use of the street; DPT Order No. 3133.)

Enacted Number: 188-06
ADOPTED

060248 [Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

Enacted Number: 189-06
ADOPTED

060258 [Accept-Expend Equipment - Police Department] Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC).

Enacted Number: 190-06
ADOPTED

060273 [Grant of Regional Funds - Municipal Transportation Agency] Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

Enacted Number: 191-06
ADOPTED

060296 [Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study, Yr. 2] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $55,140 to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2005, to June 30, 2006. (Public Health Department)

Enacted Number: 192-06
ADOPTED

060324 [Accept-Expend Federal Grant - MOCJ - $37,500] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $37,500 from the van Loben Sels/RembeRock Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

Enacted Number: 181-06
ADOPTED

060132 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;
Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;
Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;
Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;
Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;
Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;
Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;
Washburn Street, stopping Washburn Street at Howard Street;
Dore Street, stopping Dore Street at Folsom Street; and,
Grace Street, stopping Grace Street at Mission Street. (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in

the use of the street; DPT Order No. 3133.)

Enacted Number: 193-06
ADOPTED

060167 [Parking Regulations] Supervisor Dufty

Resolution enacting angle parking regulations on the east side of Castro Street, between 25th and Jersey Streets.

45-DEGREE ANGLE PARKING - ESTABLISH
Castro Street, east side, between 25th and Jersey Streets.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 194-06
ADOPTED

060214 [Parking Regulations, Various Locations] Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

TALL VEHICLE RESTRICTION, 100 FEET FROM INTERSECTIONS - ESTABLISH
Sloat Boulevard, south side, from the Lakeshore Plaza traffic signal to 20 feet west of the Everglade Drive intersection.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Sloat Boulevard, south side, from Everglade Drive to 20 feet westerly.

(2/14/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 195-06
ADOPTED

Recommendation of the Land Use and Economic Development Committee

051841 [Haight Street Alcohol Restricted Use Subdistrict - Permissible bar use in movie theaters] Supervisors Mirkarimi, Ammiano

Ordinance amending Planning Code Section 781.9 to allow a bar use in a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdistrict; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 64-06
FINALLY PASSED

Recommendations of the Rules Committee

051651 [Protection of employee rights] Supervisors Mirkarimi, Ammiano, Peskin, Dufty, Ma, Maxwell, Daly, Sandoval, McGoldrick

Ordinance amending Section 11.55 of the Administrative Code to require franchise grantees to comply with provisions of federal law that prohibit discrimination against an employee based on an employee's decision to participate in employee organizations for the purpose of representation, and to require grantees to notify contractors and subcontractors that they must comply with these same provisions, and to prohibit discrimination against an employee, contractor or subcontractor for speaking before or filing a complaint with any government agency or court, and to ensure that company policies, handbooks, and directives are not construed to limit such activity by an employee.

Enacted Number: 61-06
FINALLY PASSED

060302 [Settlement of Lawsuit - Iva Hetzel]

Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 66-06

FINALLY PASSED

060300 [Settlement of Lawsuit - Maximilian Castro]

Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

060303 [Settlement of Lawsuit - Gisselle Shepherd]

Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

060290 [Settlement Agreement Regarding SACPA Audit]

Resolution approving the Health Department's entering into a Settlement Agreement with the State of California resolving the State's claim for reimbursement by the City and County of funds provided by the State to the County under the SACPA program for fiscal year July 1, 2001 through June 30, 2002. (City Attorney)

Enacted Number: 196-06

ADOPTED

060376 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Catherine Rose Russo, term ending March 31, 2008, to the Commission on the Aging Advisory Council.

Catherine Rose Russo, term expiring March 31, 2006, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2008.

Enacted Number: 197-06

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

060165 [To appropriate $1,127,000 in funding for San Francisco General Hospital capital projects] Mayor

Ordinance appropriating $1,127,000 in San Francisco General Hospital (SFGH) revenue and appropriating $1,127,000 for the SFGH Rebuild Planning and Environmental Impact Report (EIR).

(Fiscal impact.)

Enacted Number: 62-06

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060225 [To appropriate $3,330,980 to fund cost overruns at the Police Department and violence prevention investments for Children, Youth and Their Families for Fiscal Year 2005-2006] Supervisor Ma

Ordinance appropriating $3,330,980 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and

Their Families for Fiscal Year 2005-2006. Sources of funds include $2,572,307 from the Unappropriated General Fund Balance and $758,673 from the Fiscal Year 2005-2006 Children's Baseline Growth. Uses of funds include $2,572,307 for the Police Department and $758,673 for the Department of Children, Youth and Their Families.

(Fiscal impact.)

Enacted Number: 63-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

060252 **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]** **Supervisors Daly, Mirkarimi, Ammiano**

Ordinance appropriating $690,000 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.

(Fiscal impact.)

Question appropriating the remaining balance of $463,318 to fund homesless services and to maintain and restore shelter bed capacity for fiscal year 2005-06 divided and considered separately under File No. 060465.

Remainder ($226,682) approved and placed under Budget and Finance Committee reserve.

Supervisor Daly moved that this Ordinance be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance appropriating $226,682 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06; placing $226,682 on Budget and Finance Committee reserve.

(Fiscal impact.)

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060465 **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]**

Ordinance appropriating $463,318 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.

Divided from File 060252.

RE-REFERRED to the Budget and Finance Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051924 **[Establishing Maximum Work Hours For General Assistance Programs]** Supervisors McGoldrick, Ammiano, Maxwell, Daly

Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

Supervisors Maxwell and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin Excused From Voting

Supervisor Dufty, seconded by Supervisor Maxwell, moved moved to excuse Supervisor Peskin, at his request due to possible conflict of interest, from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 1 - Peskin

051954 **[Amend the Definition of Properties Eligible to Apply for a Mills Act Contract]** **Supervisor Alioto-Pier**

Ordinance amending the Administrative Code by amending Section 71.2 by adding new subsections 71.2(b), (d), and (e) to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; stating that subsections 71.2 (b), (d), and (e) shall not become effective until six months after the effective date of this Ordinance; requesting a report from the Planning Department regarding evaluation criteria for Mills Act Contracts; and making environmental findings.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 1 - Peskin

060218 **[Mission Bay - Pier 64 Cost Reimbursement Agreement]** **Mayor, Supervisor Daly**

Resolution approving the Cost Reimbursment Agreement between the City and County of San Francisco, and Atlantic Richfield Company, Texaco Inc., Chevron U.S.A. Inc. and Union Oil Company of California for the management of residual petroleum hydrocarbons on City Property in certain areas of Mission Bay.

Enacted Number: 198-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060260 **[San Francisco Community College District** **Supervisor Peskin**

General Obligation Bonds]

Resolution authorizing the San Francisco Community College District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 2005 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Community College District; providing for prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of San Francisco Community College District bonds.

Enacted Number: 199-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060355 [Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments] — Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $4,946,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

Enacted Number: 206-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060246 [Appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06] — Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma

Ordinance appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06.

(Fiscal impact.) (Supervisors Mirkarimi and Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

060253 [Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls] Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Lincoln Park Master Plan for $176,459, Lincoln Playground for $321,367, Hamilton Playground, Recreation Center and Pool for $4,205,883, Junipera Serra Playground and Clubhouse for $247,042, Lake Merced Improvements for $257,336, Lake Merced - Overlook and Trail for $42,897, Midtown Terrace Playground for $444,361, Buena Vista Park Landscape Improvement for $745,913, Sunnyside Conservatory for $893,902, Rolph Playground & Clubhouse for $240,487, St. Mary's Playground for $494,085, Kelloch - Velasco Park for $482,211, Potrero Hill Playground for $406,443, Visitacion Valley Greenway (Racetrack) - Tioga Lot for $366,582, Joseph Lee Recreation Center $206,163 and Sava Pool for $884,550 for fiscal year 2005-06.

(Fiscal impact.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance appropriating $10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for $840,000, Lake Merced - Overlook and Trail for $145,860, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, Kelloch - Velasco Park for $617,507, Visitacion Valley Greenway (Raceway) - Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060311 [Appropriating $20,000,000 of General Fund balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Supervisors Daly, Mirkarimi

Rental Subsidies for Fiscal Year 2005-06]

Ordinance appropriating $20,000,000 of General Fund balance for Fiscal Year 2005-06, including $18,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless; $1,000,000 to the Mayor's Office of Housing to fund the Real Ownership Opportunities for Tenants project and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project; and $1,000,000 for the Human Services Agency to fund Family Rental Subsidies for Fiscal Year 2005-06.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060410 **[Appropriating $1,755,000 in funding for Primary Care capital projects for FY 2005-06]**

Ordinance appropriating $1,755,000 in revenues, including $1,035,000 in unappropriated General Fund Balance, and $720,000 in Primary Care surplus and appropriating $1,755,000 for capital projects at Primary Care clinics for the Public Health Department for Fiscal Year 2005-06.

Fiscal Impact

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

051669 **[Prohibition on Smoking in Public Transit Stops and Shelters]** Supervisors Ma, Daly, Ammiano

Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

060088 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell St. between Steiner and Fillmore] Supervisor Mirkarimi

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 29, 2006 and November 18, 2006.

Enacted Number: 200-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

051633 [Adopting the National Incident Management System] Supervisor Ma

Resolution adopting the National Incident Management System.

Enacted Number: 201-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

060065 [Establishing the Film Rebate Program] Supervisor Alioto-Pier

Ordinance amending San Francisco Admistrative Code section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified

film productions.

(Fiscal impact and Economic Impact)

Amended on page 4, line 7, by renumbering "(2)" with "(4); and on page 5, line 11, by inserting" residency of employees"; and further amended by reducing the cap to $1.8 million.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin

Recommendation of the Land Use and Economic Development Committee

060188 [Residential Hotels: Tenant Mail Receptacles] Supervisors Daly, Peskin, Mirkarimi, Ammiano

Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

SPECIAL ORDER 3:00 P.M.

060369 [Hearing - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District]

Hearing to consider the approval to accept public testimony regarding the potential recommendation of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential District.

The President inquired as to whether or not any member of the public wished to address the Board members

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

060312 [Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations] Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Rincon Hill Downtown Residential District; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

Enacted Number: 202-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition

of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Elsbernd welcomed, introduced, and presented a Certificate of Honor to Bruce Pettit.

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to Ruth Maginnis in recognition of her 23 years service with the City and County of San Francisco as a Librarian.

SPECIAL ORDER 4:00 P.M.

060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

Continued to April 25, 2006

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 25, 2006

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental

Quality Act. (Clerk of the Board)

Continued to April 25, 2006

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060243 [Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 25, 2006

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

060393 [Prohibiting Smoking on Golf Courses] Supervisor McGoldrick

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed, expressed concern with issues relating to homelessness

Female Speaker; expressed concern with issues relating to homelessness

James Chaffee; expressed concerned with issues relating to the SF Public Library

Male Speaker; expressed concerned with issues relating to concentration camps in China and people being killed for human organs

Abraham Thompson; expressed concerned about people killed for human organs

Eugene Gordon, Jr.; expressed concerned with issues relating to human rights

Linda Ackerman; expressed support for resolution in File 060416 regarding warrantless surveillance by President Bush

Walter; sang Moon River

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060399 **[Fee Waiver for Temporary Occupancy Permit of Hunger Strikers]** **Supervisors Daly, Mirkarimi**

Resolution commending the 23 individuals who participated in the week-long Hunger Strike against the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act," also known as HR 4437, for their

commitment to protect the San Francisco's City of Refuge status, and urging the Department of Public Works to waive their Temporary Occupancy permit fees for the week of March 21st, 2006.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 182-06

ADOPTED

060400 **[Commending Dr. Stanley Lipsitz on an outstanding career with the San Francisco Department of Public Health]** Supervisors Dufty, Maxwell

Resolution commending Dr. Stanley Lipsitz on an outstanding career with the San Francisco Department of Public Health and wishing him the best of luck in all of his future endeavors.

Enacted Number: 203-06

ADOPTED

060414 **[Urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels]** Supervisors Dufty, Ma, Daly

Resolution urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels.

Enacted Number: 185-06

ADOPTED

060415 **[Commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco]** Supervisor Elsbernd

Resolution commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco.

Enacted Number: 204-06

ADOPTED

060416 **[Urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act]** Supervisors McGoldrick, Ammiano, Maxwell, Daly, Mirkarimi, Dufty, Peskin

Resolution urging President Bush to stop the warrantless surveillance of

Americans and to follow the Foreign Intelligence Surveillance Act.

Supervisor Peskin requested to be added as a co-sponsor.

Enacted Number: 184-06

ADOPTED

060417 [Commending HICAP and Senior Action Network for assisting seniors and disabled] Supervisors Mirkarimi, Daly

Resolution commending San Francisco Health Insurance Counseling and Advocacy Program (HICAP) and Senior Action Network for Assisting Seniors and the Disabled in Obtaining Health Care and Medication Benefits.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 205-06

ADOPTED

060418 [Urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law] Supervisor Sandoval

Resolution urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law.

Enacted Number: 183-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

060398 [Supporting Assembly Bill 777 - Tax Credits for Qualified Motion Pictures] Supervisor Alioto-Pier

Resolution supporting Assembly Bill 777 - California Tax Credits for Qualified

Motion Pictures.

Continued to April 11, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinance

050176 [Amending the Planning Code to make all massage establishments conditional uses] Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

2/8/05, REFERRED TO DEPARTMENT. Referred to City Planning for review and comment.

4/11/05, RESPONSE RECEIVED. From Planning Department, Certificate of determination of exemption/exclusion from environmental review.

5/12/05, RESPONSE RECEIVED. Planning Department staff case report, and Resolution #17005 recommending approval of the ordinance.

6/7/05, RE-REFERRED to Land Use Committee. Supervisor Sandoval requested to be added as a co-sponsor.

1/4/06, FILED PURSUANT TO RULE 5.37.

4/4/06, ASSIGNED to Land Use and Economic Development Committee.

4/4/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Ma requested this matter be reactivated.

060443 [Prohibition on condominium conversion for buildings where specified evictions occurred] Supervisor Peskin

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

4/4/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060444 [Prohibiting Masonry Dry-Cutting] Supervisor Ma

Ordinance amending the Administrative Code by adding new Chapter 64, Section 64.1 to prohibit City employees and City contractors from engaging in masonry dry-cutting and dry-grinding, with exceptions, and establishing alternative procedures; amending the Administrative Code by amending Section 6.22 to require that City contracts include the prohibition against masonry dry-cutting and dry-grinding found in Chapter 64; and making environmental findings.

4/4/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/4/2006.

Resolutions

060421 [Confirming the reappointment of Reverend James McCray to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010] Mayor

Resolution confirming the reappointment of James McCray to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060422 [Confirming the reappointment of Shirley Breyer Black to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010] Mayor

Resolution confirming the reappointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060423 [Confirming the appointment of Mr. Tom Nolan to the Municipal Transportation Agency Board of Directors, term ending March 1, 2009] Mayor

Resolution confirming the appointment of Tom Nolan to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060424 [Confirming the appointment of Leah Shahum to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008] Mayor

Resolution confirming the appointment of Leah Shahum to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060431 [Interim Zoning Requiring Conditional Use Authorization for Change in Use of an Elementary or Secondary School] Supervisor Alioto-Pier

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use of any elementary or secondary school, including, where permissible, lots under the jurisdiction of the San Francisco School District, for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

4/4/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060432 [Adding qualified non-profit enterprises to Small Local Business Enterprise Program] Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060433 [Issuance and Sale of Refunding Revenue Bonds - National Center for International Schools] Supervisor Daly

Resolution approving the issuance and sale of refunding revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $18,500,000 for the refinancing of the acquisition, construction, improvement, expansion and equipping of the certain school facilities owned and operated by the National Center for

International Schools.
4/4/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060441 [Parking Regulations - Glen Park] Supervisor Dufty

Resolution enacting parking regulations at various locations.

PARKING METER AREA 3, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Bosworth Street, north side, from Diamond Street to Lippard Street.

2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Bosworth Street, north side, from Lippard Street to Elk Street.

(3/31/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
4/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060442 [Peak Oil Plan of Response and Preparation] Supervisors Mirkarimi, McGoldrick, Maxwell, Daly

Resolution acknowledging the challenge of Peak Oil and the need for San Francisco to prepare a plan of response and preparation.
4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060445 [Grant to support community program planning and system improvement as part of the Mental Health Services Act] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $656,945 from the California Department of Mental Health for Community Program Planning and System Improvement as part of the Mental Health Services Act (MHSA) (Prop 63), and to enter into an agreement for the use of these funds; for the period of January 6, 2006 to September 30, 2006.
4/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060448 [Accept-Expend Federal Grant Funds - Recreation and Park Department] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Park Department to

accept and expend a Clean Vessel Act Grant administered by the California Department of Boating and Waterways in the amount of $35,000 for the installation of a boat pumpout and dump station combination in the San Francisco Small Craft Harbor.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060449 [Commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in — Supervisor Dufty

Resolution commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in San Francisco.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060450 [Commending Gail Wilson and City Swing] — Supervisors Dufty, Ammiano

Resolution commending Gail Wilson and City Swing for over two decades of entertainment and commitment to the LGBT community.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060451 [Grant to support the Integrated Nurse Leadership Program at the San Francisco Department of Public Health, Laguna Honda Hospital and Rehabilitation Center] — Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of $75,000 from the Gordon and Betty Moore Foundation through the Regents of the University of California to support the Integrated Nurse Leadership Program, and to enter into an agreement for the use of these funds; for the period of March 1, 2005 to May 31, 2006.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060452 [Supporting H.R. 4423 Ethiopia Consolidation Act] — Supervisor Ma

Resolution supporting the Ethiopia Consolidation Act of 2005 (H.R. 4423)

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060453 [Accept-Expend Federal Grant - Strategic Planning for Childhood Nutrition and Physical Activity Task Force Recommendations] Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $24,993 from the California Endowment to conduct Strategic Planning for the Childhood Nutrition and Physical Activity Task Force.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060454 [Accept-Expend Federal Grant - 2006 Mayor's Summer Food Service Program and Afterschool Snack Program] Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $853,665 from the United States Department of Agriculture for the 2006 Mayor's Summer Food Service Program and the Afterschool Snack Program.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060455 [Supporting AB 2873 - Transportation Development Act Funds] Supervisor McGoldrick

Resolution urging the California State Legislature to support Assembly Bill 2873 (Wolk) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060456 [Supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community] Supervisors Mirkarimi, Maxwell, Alioto-Pier, Ammiano, Daly

Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060457 [Supporting AB 2573 regarding solar power in Supervisor Mirkarimi

San Francisco]

Resolution urging the State Legislature to pass Assembly Bill 2573 regarding solar power in San Francisco.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060458 [Proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco] — Supervisor Peskin

Resolution proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060459 [Brown and Toland Medical Group] — Supervisors Peskin, Mirkarimi, Ma

Resolution urging Brown and Toland to cease requiring exclusivity of physicians to participate in the Brown and Toland Preferred Network, in violation of the policy of the City and County of San Francisco and the state and federal and which is affecting the well being of the Chinese Community in San Francisco.

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060425 [Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance"]

Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance." (Clerk of the Board)

4/4/06, ASSIGNED to Board of Supervisors. Pursuant to File 060447, Board to sit as a Committee of the Whole on April 11, 2006 at 4:00 p.m.

060426 [Hornblower Cruises and Events] — Supervisor Peskin

Hearing to discuss whether Hornblower Cruises and Events is prepared to initiate Alcatraz service at Pier 31 1/2, meeting the requirements of the Port and the National Park Service, and conforming to the California Environmental Quality Act (CEQA), while serving the good of the public.

4/4/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060427 [Minnie and Lovie Ward Recreation Center] Supervisor Sandoval

Hearing on the Recreation and Park Department's project to build a new Minnie and Lovie Ward Recreation Center. Specific issues to be addressed include: 1) The rationale for closing the existing recreation center in July 2006 when the new one is not expected to open until December 2006 at the earliest 2) The department's plan to provide alternate services during the period of time after the old recreation center has closed but the new one has not yet opened.

4/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060428 [Pandemic flu outbreak] Supervisor Sandoval

Hearing on the plans of the San Francisco Department of Public Health and the Office of Emergency Services to prepare for a potential outbreak of pandemic flu or a similar large-scale public health crisis involving communicable diseases. Specific issues to be addressed include: 1) San Francisco's plans for maintaining services and operations in the event of large-scale absenteeism in all City departments 2) The role of the Avian/Pandemic Flu Task Force in developing these plans 3) Any preliminary efforts regarding pandemic influenza planning with the business community prior to the scheduled Citywide meeting in June of 2006.

4/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

060429 [Legislative Analyst Request - Youth MUNI passes] Supervisor McGoldrick

Motion requesting the Legislative Analyst to research, analyze, and gather data on the following issue(s): (1) What kind of discounts do the public transit systems (both national and international) give to youth between the ages of 18 to 24? How has that impacted the number of youth that ride on the public transportation system? Has that led to an increase/decrease in youth riders? (2) What are the various kinds of discounts given to students nationally and internationally? (3) What is the usual cut off age for what is defined youth in the public transportation system for San Francisco?

4/4/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 11, 2006.

060430 [Legislative Analyst Request - Street space permits] Supervisor Elsbernd

Motion requesting the Legislative Analyst to research, analyze, and gather data on the street space permits in order to determine if permits are legally posted.

4/4/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 11, 2006. In-depth report desired delivery date: May 15, 2006.

060446 [Dr. Joe Marshall Reappointment to the Police Commission] Mayor

Motion confirming the Mayor's nomination of, and reappointing, Dr. Joe Marshall to the San Francisco Police Commission for a four-year term ending April 30, 2010.

(Charter Section 4.109 - Board of Supervisors must act witin 60 days from the date the nomination is transmitted from the Mayor to the Clerk of the Board's Office. If the Board fails to act on the Mayor's nomination within the 60 days the Mayor's nominee shall be deemed approved. Transmittal Date: 4/4/06.)

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

060447 [Calling for the Board of Supervisors to sit as a Committee of the Whole on April 11, 2006, at 4:00pm to consider findings of recent economic report] Supervisor Alioto-Pier

Motion calling for the Board of Supervisors to sit as a committee of the whole on April 11, 2006, at 4:00pm to hear and discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance."

4/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060336 [Contract between the Department of Public

Health and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services for the period of April 1, 2006 through March 31, 2010. (Public Health Department)

3/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060337 **[Contract between the Department of Public Health and Health Advocates, LLC to provide uncompensated care recovery services]**

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLC to provide uncompensated care reimbursement recovery services. (Public Health Department)

3/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060401 **[Board review and approval of 2006 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]** **Supervisor Dufty**

Resolution approving the City and County of San Francisco 2006 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)

3/27/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be scheduled for consideration at the April 12, 2006 meeting.

060338 **[Sale of Surplus Property -107 24th Ave.]**

Resolution confirming the sale of surplus City-owned property located at 107 24th Avenue (Lots 39 and 40 in Assessor's Block 1334) at public auction and authorizing the Director of Property to execute deeds to the successful bidders. (Real Estate Department)

3/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate the possibility of installing reflective signs around Dewey Circle, in order to increase visibility and ensure vehicle safety.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To prepare an ordinance entitled the "Voodoo Economics" Tax Loophole Legislation to grant tax incentives, tax breaks or tax loopholes fashioned on the Biotech Industry and Film Industry measures for all industries based in San Francisco.

From: Supervisor Mirkarimi

To: Department of Parking and Traffic

Requesting/Inquiring: To report on the status of graffiti removal from light boxes at the following locations:

ú Fredrick and Clayton Streets: southeast corner

ú Haight and Clayton Streets: northeast and northwest corners

ú Fell and Pierce Streets: southeast corner

ú Fell and Scott Streets: southeast corner

ú Gough and Sutter Streets: northeast corner

ú Sutter and Laguna Streets: northwest corner

ú 17th and Clayton Streets: light pole, northeast corner

From: Supervisor Mirkarimi

To: Public Utilities Commission

Requesting/Inquiring: To report on the status of repairing the streetlight that is out at the southwest corner of Grove and Buchanan Streets.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of graffiti removal from the Chronicle, Bay Guardian and SF Weekly newspaper dispensers at the following locations:

ú Haight and Ashbury

ú Haight and Clayton

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of graffiti removal at Ida B. Wells High School on Scott Street between Hayes and Fell Streets.

From: Supervisor Mirkarimi

To:

In Memoriams

Reuben Sibley (Supervisors Mirkarimi, Maxwell)

Robert Chatman (Supervisor Mirkarimi)

Alan Dowell (Supervisors Dufty, Ma)

Mike Jones (Supervisor Elsbernd)

Muriel Hoffman (Supervisor Alioto-Pier)

Special Board of Supervisors Meeting

Budget and Finance Committee

April 5, 2006

At the hour of 1:20 p.m. Supervisor Fiona Ma was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened.

Present: Chris Daly, Bevan Dufty, Aaron Peskin, Ross Mirkarimi,

Sean Elsbernd, Fiona Ma

060262 [Supplemental appropriation process and plan for allocating current year surplus]

Hearing to consider supplemental appropriation process and plan for allocating current year surplus of $137,310,000.

Filed by the Budget and Finance Committee

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

060394 [Appropriating $660,000 to the Department of Children, Youth and Their Families to support the John Swett Alternative School in Department Fiscal Year 2005-06]

Ordinance appropriating $330,000 of Unappropriated General Fund and $330,000 of Children's Baseline Reserve to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

Recommended as amended by the Budget and Finance Committee

Ayes: 4 - Daly, Dufty, Peskin, Mirkarimi

Noes: 1 - Elsbernd

At the hour of 4:05 p.m. Supervisor Fiona Ma was noted absent. The quorum of the Special Board of Supervisor meeting recessed. At the hour of 5:05 p.m. Supervisors Tom Ammiano and Jake McGoldrick were noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was re-convened.

Present: Chris Daly, Bevan Dufty, Aaron

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:09 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 25, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second

public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

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MEETING MINUTES

Tuesday, April 11, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was excused from attending today's meeting.

Supervisor Alioto-Pier Excused From Attendance

Supervisor Daly, seconded by Supervisor Maxwell, moved to excuse Supervisor Alioto-Pier from attending today's meeting.. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051924 [Establishing Maximum Work Hours For General Assistance Programs] Supervisors McGoldrick, Ammiano, Maxwell, Daly

Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the

Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

Enacted Number: 81-06
FINALLY PASSED

060410 [Appropriating $1,755,000 in funding for Primary Care capital projects for FY 2005-06]

Ordinance appropriating $1,755,000 in revenues, including $1,035,000 in unappropriated General Fund Balance, and $720,000 in Primary Care surplus and appropriating $1,755,000 for capital projects at Primary Care clinics for the Public Health Department for Fiscal Year 2005-06.

Fiscal Impact

Enacted Number: 72-06
FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

060329 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Bay Area Air Quality Management District Transportation Fund to collaborate with the San Francisco Bike Coalition and the Metropolitan Transportation Commission on the development of a web-based point-to-point bicycle route planning tool called BikeInsight.

Enacted Number: 222-06
ADOPTED

Recommendation of the Land Use and Economic Development Committee

060188 [Residential Hotels: Tenant Mail Receptacles] Supervisors Daly, Peskin, Mirkarimi, Ammiano

Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

Enacted Number: 73-06
FINALLY PASSED

Recommendations of the Rules Committee

060300 [Settlement of Lawsuit - Maximilian Castro]

Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 75-06
FINALLY PASSED

060303 [Settlement of Lawsuit - Gisselle Shepherd]

Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 74-06
FINALLY PASSED

060402 [Appointment - Graffiti Advisory Board]

Resolution appointing Steven B. Taxman, for an indefinite term, to the Graffiti Advisory Board.

Steven B. Taxman, succeeding Mark Bruno, seat 13, resigned, non-voting member, must represent neighborhood organization, for an indefinite term.

Enacted Number: 221-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from the Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately.

060311 **[Appropriating $20,000,000 of General Fund balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Rental Subsidies for Fiscal Year 2005-06]** Supervisors Daly, Mirkarimi

Ordinance appropriating $20,000,000 of General Fund balance for Fiscal Year 2005-06, including $18,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless; $1,000,000 to the Mayor's Office of Housing to fund the Real Ownership Opportunities for Tenants project and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project; and $1,000,000 for the Human Services Agency to fund Family Rental Subsidies for Fiscal Year 2005-06.

(Fiscal impact.)

Supervisor Ma, seconded by Supervisor Elsbernd, moved to amend on page 3, line 24 after "by tenuous living situations" by inserting "including, but not limited to, persons, displaced due to no-fault evictions such as Ellis Act or owner move-in evictions who are extreme low income."

Motion to amend failed by the following vote:

Ayes: 5 - Dufty, Elsbernd, Ma, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

Excused: 1 - Alioto-Pier

Enacted Number: 71-06

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

060246 [Appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06]

Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma

Ordinance appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06.

(Fiscal impact.) (Supervisors Mirkarimi and Daly dissented in committee.)

Enacted Number: 69-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

060253 [Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]

Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for $840,000, Lake Merced - Overlook and Trail for $145,860, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, Kelloch - Velasco Park for $617,507, Visitacion Valley Greenway (Raceway) - Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin Excused From Voting

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor Peskin, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051954 [Amend the Definition of Properties Eligible to Apply for a Mills Act Contract] Supervisor Alioto-Pier

Ordinance amending the Administrative Code by amending Section 71.2 by adding new subsections 71.2(b), (d), and (e) to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; stating that subsections 71.2 (b), (d), and (e) shall not become effective until six months after the effective date of this Ordinance; requesting a report from the Planning Department regarding evaluation criteria for Mills Act Contracts; and making environmental findings.

(Fiscal impact.)

Enacted Number: 67-06

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 2 - Alioto-Pier, Peskin

From the Budget and Finance Committee Without Recommendation

060252 [To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves] Supervisors Daly, Mirkarimi, Ammiano

Ordinance appropriating $226,682 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06; placing $226,682 on Budget and

Finance Committee reserve.

(Fiscal impact.)

Enacted 82-06
Number:
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

051669 [Prohibition on Smoking in Public Transit Stops and Shelters] Supervisors Ma, Daly, Ammiano

Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

Enacted 68-06
Number:
FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi
Noes: 3 - Elsbernd, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Government Audit and Oversight Committee

060065 [Establishing the Film Rebate Program] Supervisor Alioto-Pier

Ordinance amending San Francisco Admistrative Code section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified film productions.

(Fiscal impact and Economic Impact)

Enacted 70-06
Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060166 **[First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; increasing FSHA reporting requirements, liquidated damages, and penalty sections; amending** Supervisors Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 7) increase liquidated damages from up to $2,070.00 to up to $5,000.00 against contractors for initial violations of this Chapter, add provision of liquidated damages of up to $10,000.00 against contractors for each violation discovered during second investigation by FSHA and to provide for administrative review; and 8) increase penalties against permittees and contractors engaged in non-City work performed in San Francisco from up to $2,070.00 to up to $5,000.00 who fail to comply with this Chapter and to provide for administrative review.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060309 **[Extending Early Retirement Program]** Mayor

Resolution extending Early Retirement Program for and through fiscal years 2006-07.

(Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)

Enacted Number: 209-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060394 [Appropriating $660,000 to the Department of Children, Youth and Their Families to support the John Swett Alternative School in Department Fiscal Year 2005-06] Supervisors Mirkarimi, Daly

Ordinance appropriating $660,000 of Unappropriated General Fund to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

(Fiscal impact.)(Supervisor Elsbernd dissented in committee)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Ordinance appropriating $330,000 of Unappropriated General Fund and $330,000 of Children's Baseline Reserve to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

(Fiscal impact.)(Supervisor Elsbernd dissenting in committee)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

060263 [Public Education Enrichment Fund] Supervisors Mirkarimi, Daly, Ammiano

Resolution approving the San Francisco First Five Commission expenditure plan or the Public Education Enrichment Fund for fiscal year 2006-07.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 223-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Elsbernd

Excused: 1 - Alioto-Pier

060341 [Appropriating $250,000 to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006] Supervisor Ma

Ordinance appropriating $250,000 of Unappropriated General Fund Revenue to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006; and reserving the appropriation for the Grants for the Arts.

(Fiscal impact.)

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Ordinance appropriating $250,000 of Unappropriated General Fund Revenue to the Arts Commission, Cultural Equity Endowment Grants for Fiscal Year 2005-2006; and reserving the appropriation pending receipt of additional information from the Arts Commission.

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the City Operations and Neighborhood Services Committee

051985 [Deletion of a street flower market location on Market Street at Fifth Street]

Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060255 [Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately $4.5 million from the City Fields Foundation]

Supervisors Ammiano, Alioto-Pier, Maxwell, Ma, Dufty

Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately $4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation; and requiring the RPD General Manager to submit an annual report to the Board that describes actions taken in furtherance of the agreement.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to Pappa Johnny founder of Cafe Treiste in celebration of the 50th Anniversary of Cafe Treiste.

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to the Daughters of Charity of St. Vincent De Paul Province of the West in recognition of celebrating 150 years of service in California and in gratitude for their works during the 1906 Earthquake.

Supervisor Bevan Dufty welcomed, introduced and presented a Certificate of Honor to Officer Lisa Farrell on behalf of Sensei Keiko Fukuda.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060425 [Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance"]

Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance." (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

Jessie Blount, Director of Economic Development

Dr. Ted Egan, Consultant

The President declared the hearing closed.

HEARD AT PUBLIC HEARING.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Richard Low; Chinese Community Health Plan; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Dr. Richard Loos; expressed support for Item 42 relating to the Brown and

Toland Medical Group and the Chinese Hospital

Dr. Tina Kwan; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Cynthia Yee; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Dr. Joseph Woo; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Rachel Shu; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Dr. R.C. Lowe; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Brenda Yee; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Dr. Pearl Yee; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Vincent Pan; expressed support for Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital

Dr. Stan Padilla, Brown and Toland representative; expressed opposition to Item 42 relating to the Brown and Toland Medical Group and the Chinese Hospital issues

Megaheed Abdullah; expressed concern with the Immigration legislation

James Chaffee; expressed concern with issues relating to the SF Library

Walter; showed interest in the 1906 Earthquake celebrations

Carlos Rios; expressed concern with SFWFI Network selection of Earthlink as provider

John di Donna; expressed concern with the deaths of African American children

Eugene Gordon Jr.; expressed concern with human rights issues

Male speaker; expressed concern with the treatment

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the

purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

060429 **[Legislative Analyst Request - Youth MUNI passes]** Supervisor McGoldrick

Motion requesting the Legislative Analyst to research, analyze, and gather data on the following issue(s): (1) What kind of discounts do the public transit systems (both national and international) give to youth between the ages of 18 to 24? How has that impacted the number of youth that ride on the public transportation system? Has that led to an increase/decrease in youth riders? (2) What are the various kinds of discounts given to students nationally and internationally? (3) What is the usual cut off age for what is defined youth in the public transportation system for San Francisco?

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060430 **[Legislative Analyst Request - Street space permits]** Supervisor Elsbernd

Motion requesting the Legislative Analyst to research, analyze, and gather data on the street space permits in order to determine if permits are legally posted.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Continued to April 18, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060447 **[Calling for the Board of Supervisors to sit as a Committee of the Whole on April 11, 2006, at 4:00pm to consider findings of recent economic report]** — Supervisor Alioto-Pier

Motion calling for the Board of Supervisors to sit as a committee of the whole on April 11, 2006, at 4:00pm to hear and discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance."

Enacted Number: M06-35
APPROVED

060442 **[Peak Oil Plan of Response and Preparation]** — Supervisors Mirkarimi, McGoldrick, Maxwell, Daly

Resolution acknowledging the challenge of Peak Oil and the need for San Francisco to prepare a plan of response and preparation.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 224-06
ADOPTED

060448 **[Accept-Expend Federal Grant Funds - Recreation and Park Department]** — Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Clean Vessel Act Grant administered by the California Department of Boating and Waterways in the amount of $35,000 for the installation of a boat pumpout and dump station combination in the San Francisco Small Craft Harbor.

Enacted Number: 238-06

ADOPTED

060449 [Commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in] Supervisor Dufty

Resolution commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in San Francisco.

Enacted Number: 219-06
ADOPTED

060450 [Commending Gail Wilson and City Swing] Supervisors Dufty, Ammiano

Resolution commending Gail Wilson and City Swing for over two decades of entertainment and commitment to the LGBT community.

Enacted Number: 218-06
ADOPTED

060451 [Grant to support the Integrated Nurse Leadership Program at the San Francisco Department of Public Health, Laguna Honda Hospital and Rehabilitation Center] Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of $75,000 from the Gordon and Betty Moore Foundation through the Regents of the University of California to support the Integrated Nurse Leadership Program, and to enter into an agreement for the use of these funds; for the period of March 1, 2005 to May 31, 2006.

Enacted Number: 217-06
ADOPTED

060452 [Supporting H.R. 4423 Ethiopia Consolidation Act] Supervisor Ma

Resolution supporting the Ethiopia Consolidation Act of 2005 (H.R. 4423)

Enacted Number: 212-06
ADOPTED

060453 [Accept-Expend Federal Grant - Strategic Planning for Childhood Nutrition and Physical Activity Task Force Recommendations] Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $24,993 from the California Endowment to conduct Strategic Planning for the Childhood Nutrition and Physical Activity Task Force.

Enacted Number: 216-06

ADOPTED

060454 [Accept-Expend Federal Grant - 2006 Mayor's Summer Food Service Program and Afterschool Snack Program] Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $853,665 from the United States Department of Agriculture for the 2006 Mayor's Summer Food Service Program and the Afterschool Snack Program.

Enacted Number: 215-06

ADOPTED

060455 [Supporting AB 2873 - Transportation Development Act Funds] Supervisor McGoldrick

Resolution urging the California State Legislature to support Assembly Bill 2873 (Wolk) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

Enacted Number: 208-06

ADOPTED

060456 [Supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community] Supervisors Mirkarimi, Maxwell, Alioto-Pier, Ammiano, Daly

Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 207-06

ADOPTED

060457 [Supporting AB 2573 regarding solar power in San Francisco] Supervisor Mirkarimi

Resolution urging the State Legislature to pass Assembly Bill 2573 regarding solar power in San Francisco.

Enacted Number: 213-06

ADOPTED

060458 [Proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco] Supervisor Peskin

Resolution proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco.

Enacted Number: 214-06

ADOPTED

060411 [Final Map for a 16 Unit Residential Condominium Project - 1725 Washington Street]

Motion approving Final Map of 1725 Washington Street, A Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 619, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order NO. 175,956; District 3.)

Enacted Number: M06-34

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from the Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

060398 [Supporting Assembly Bill 777 - Tax Credits for Supervisor Alioto-Pier

Qualified Motion Pictures]

Resolution supporting Assembly Bill 777 - California Tax Credits for Qualified Motion Pictures.

Motion to suspend the Board of Supervisor Rules of Order No. 2.11 carried without objection.

Enacted Number: 211-06

ADOPTED by the following vote:

Ayes: 7 - Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Ammiano, Daly, Peskin
Excused: 1 - Alioto-Pier

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

060459 [Brown and Toland Medical Group] Supervisors Peskin, Mirkarimi, Ma

Resolution urging Brown and Toland to cease requiring exclusivity of physicians to participate in the Brown and Toland Preferred Network, in violation of the policy of the City and County of San Francisco and the state and federal and which is affecting the well being of the Chinese Community in San Francisco.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisors Mirkarimi and Ma requested to be added as co-sponsors.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060473 [Appropriating $148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission] Mayor

Ordinance appropriating $148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06.

(Fiscal impact.)

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060474 [Appropriating $3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E] Mayor

Ordinance appropriating $4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

(Fiscal impact.)

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060475 [Public Employment - Mayor's Office of Economic and Workforce Development] Mayor

Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.

(Fiscal impact.)

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060476 [Cash Revolving Funds - Commission on the Environment] Mayor

Ordinance amending the Administrative Code by deleting Section 10.169-12.

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060477 [Potential Future Candlestick Point Development] Supervisors Maxwell, Dufty

Ordinance establishing a City policy regarding consistency with applicable voter-approved measures in any proposed stadium-related project at Candlestick Point.

4/11/06, RECEIVED AND ASSIGNED to Rules Committee.

060479 [Zoning Map Amendment, 645 Howard Street] Supervisor Daly

Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located at Block 3735, Lot 047, to change the height and bulk district classification from 150-S to 250-S; adopting findings

pursuant to the California Environmental Quality Act; and adopting findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

4/11/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/11/2006. 4/17/06 - Referred to the Small Business Commission for review and comment.

060480 **[General Plan Amendment, 645 Howard Street]** Supervisor Daly

Ordinance amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan of the General Plan of the City and County of San Francisco to change the height and bulk district classification of the property located at Block 3735, Lot 047 from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Priority Policies of Planning Code Section 101.1.

4/11/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/11/2006. 4/17/06 - Referred to the Small Business Commission for review and comment.

060481 **[Zoning - Interim Moratorium on Formula Retail Uses in the Western South of Market Area]** Supervisor Daly

Urgency Ordinance approving an interim zoning moratorium on the establishment of formula retail uses in the Western South of Market in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/11/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 4/17/06 - Referred to the Small Business Commission for review and comment.

060482 **[Formula Retail Use; Public Notice - Western SoMa Planning Area SUD]** Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 803.6 to designate formula retail as a conditional use in the Western SoMa Planning Area Special Use District and by adding Section 803.7 to require public noticing requirements for building permit applications in that Special Use District; adopting findings including environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

Economic Impact

4/11/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/11/2006. 4/17/06 - Referred to the Small Business Commission for review and comment.

060483 **[Zoning - Western SoMa Planning Area Special Use District]** Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 823 and amending Sheets 1SU, 7SU, and 8SU of the Zoning Map of the City and County of San Francisco to establish the Western SoMa Planning Area Special Use District in the area generally bounded by Mission Street to the north,

Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Economic Impact

4/11/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/11/2006. 4/17/06 - Referred to the Small Business Commission for review and comment.

Resolutions

060478 **[Public Education Enrichment Fund]** Supervisor Peskin

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for fiscal year 2006-07, with reserve pending receipt of additional information.

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 4/18/06 - Referred to the Youth Commission for comment.

060484 **[Authorizing the Department of Telecommunications and Information Services to amend its contract with Motorola, Inc. to exceed $20 million and extend the time for an additional ten years]** Supervisor Elsbernd

Resolution authorizing the Department of Telecommunications and Information Services to enter into the Sixth Amendment between the City and Motorola, Inc., to increase the authorization for the contract's anticipated expenditures to $20 million, and extend the time of the contract.

(Fiscal impact.)

4/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060485 **[Recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday]** Supervisors Dufty, Maxwell

Resolution recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday.

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060486 **[Commending Zoe Dell Lantis Nutter]** Supervisor Elsbernd

Resolution commending Zoe Dell Lantis Nutter, recipient of the San Francisco Aeronautical Society's Achievement in Aviation Award for 2005.

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060487 **[Landmark Tree Program Criteria and** Supervisor McGoldrick

Procedures]

Resolution in support of the Urban Forestry Council's landmark tree criteria and procedure created in accordance with Ordinance Number 17-06.

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060488 [Department of Elections Outreach Program] Supervisor Peskin

Resolution declaring April 2006 "Voter Education and Participation Month".

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060489 [Supporting AB-2161, AB-2193, AB-2481, AB-2488, and AB-2489] Supervisors Ma, Dufty

Resolution in support of the passage of AB 2161(Hancock), AB 2193 (Bass), AB 2481 (Evans), AB 2488 (Leno) and AB 2489 (Leno) to improve and enhance the State's Child Welfare Services to promote successful outcomes for California's, and San Francisco's, foster youth.

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060470 [Arts Task Force Recommendations] Supervisor Ammiano

Hearing to consider the presentation of the Arts Task Force Recommendations.

4/11/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled at Government Audit & Oversight Committee on April 24, 2006.

060471 [Municipal Wireless Fidelity (WiFi) Alternatives] Supervisor McGoldrick

Request for a hearing to consider creating internet connectivity and data communications through a true municipal network owned and managed by the City and County of San Francisco, including alternatives that were not considered in the current search for a model that would exist beyond ten years time in technology and engineering, would be scalable, is secure and affords privacy, provides community participation and inclusion, technology and network neutrality, manageable interference, cogent engineering, considers technology obsolescence both physical and virtual, considers saturation and field strength among other elements specific to this kind of network. This study would consider current assets including but not limited to existing wireless networks, copper, cable and fiber infrastructures.

4/11/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060472 [Violations of tenants' rights in buildings operated by CitiApartments, Inc.] Supervisor Peskin

Hearing to investigate allegations of widespread violations of tenants' rights in buildings operated by CitiApartments, Inc.

4/11/06, RECEIVED AND ASSIGNED to Land Use and Economic Development

Committee.

PROPOSED ORDINANCES

060203 [Tunnel Avenue Weight Restrictions]

Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue. (Parking and Traffic Department)

3/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

4/6/06, REFERRED TO DEPARTMENT. Referred to Parking and Traffic for environmental impact determination.

4/12/06, RESPONSE RECEIVED. Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

060463 [Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]

Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment. (City Attorney)

4/4/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060204 [Airport ITT Network Operations Center and ITT Helpdesk Coverage - FY 2006-07 Proposition J]

Resolution approving the Controller's certification that Airport ITT Network and Operations Center and ITT Helpdesk Coverage for FY 2006-2007 can be practically performed by a private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact.)

3/30/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060409 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant] Mayor

Resolution approving the 2006/07 Community Development Block Grant

(CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling $25,151,655; and approving an Expenditure Schedule.

4/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060413 **[Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]** **Mayor**

Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $928,391; and approving the expenditure schedule for recipient agencies.

(Fiscal impact.)

4/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060419 **[Apply For-Accept-Expend Federal Funding - HOME Program]** **Mayor**

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling $15,016,335; and approving the HOME Program Description as described in the 2006 Action Plan for San Francisco's Consolidated Plan.

4/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Daly

To: Executive Director, Municipal Transportation Authority

Requesting/Inquiring: Inquiring where the Transbay Transit Center is on your list of priorities for Capital Projects.

From: Supervisor Mirkarimi

To: Director, Department of Human Services

To: Director, Department of Public Health

To: Chief, Police Department

To: General Manager, Recreation and Parks Department

Requesting/Inquiring: Requesting a report from the Department of Human Services, Department of Public Health, Police Department and Recreation and Parks Department on outreach, services, plans of each department, and

coordinated efforts between departments, to address the increase homeless population in and around Golden Gate Park and the Inner Sunset.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing the graffiti on the mailboxes at the following locations: 906 Divisadero, Divisadero and Turk, 2299 Post and the southwest corner of Divisadero and Pine.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of removing the graffiti on the parking signs at the following locations: 1052 Divisadero, 1320 Divisadero, 1350 Divisadero, southwest corner of Divisadero and Ellis, 1600-1610 Scott, 1657 Scott, 2814 Pine, 2988 Pine, 2917 Pine, 1829 Pine, 1844 Pine and 1851 Pine Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of removing the graffiti on the parking signs at the following locations: 2001 Pine, 2019 Pine, 2084 Pine, 2152 Pine, 2220 Pine, 2330 Pine, 2396 Pine and the northwest corner of Pine and Pierce Streets.

From: Supervisor Mirkarimi

To: Director, Department of Parking and

In Memoriams

Mary O'Connell Moriarty - Supervisor Elsbernd

Reino Erkkila - Supervisor Elsbernd

Arthur Jackson - Supervisor Peskin

Special Board of Supervisors Meeting

Budget and Finance Committee

April 12, 2006

At the hour of 1:32 p.m. Supervisor Sophie Maxwell was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened. (Supervisor Sandoval was noted present from 3:28 p.m. to 3:36 p.m. The meeting was already convened as a quorum of the Board of Supervisors. (File No. 060247)).

Present: Chris Daly, Bevan Dufty, Aaron Peskin, Ross Mirkarimi,

Sean Elsbernd, Sophie Maxwell, Gerardo Sandoval

060247 [Minimum Wage Implementation and Enforcement]

Ordinance (1) amending Chapter 12R of the San Francisco Administrative Code (Minimum Wage Ordinance) to impose an annual fee upon employers to defray the City's costs of implementing and enforcing the Minimum Wage Ordinance, (2) expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the regulatory fees imposed by this ordinance are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Office of Labor Standards Enforcement or successor department of the City and County of San Francisco, including employee wage rates, fringe benefits and other direct and indirect overhead charges, attributable to the implementation and enforcement of the Minimum Wage Ordinance.

Continued to April 26, 2006 by the Budget and Finance Committee

Ayes: 4 - Daly, Dufty, Peskin, Elsbernd

Absent: 1 -

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:24 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 16, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San

Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.
Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 18, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier, Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.

There was a quorum.

Alioto-Pier and McGoldrick were excused from attending today's meeting.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Supervisor McGoldrick Excused From Attendance

Supervisor Maxwell, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve Board Meeting Minutes for March 21, 2006 and Special Board Meeting Minutes for the Budget and Finance Committee Meeting of

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

051985 [Deletion of a street flower market location on Market Street at Fifth Street]

Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street. (Public Works Department)

Enacted Number: 78-06
FINALLY PASSED

060255 [Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately $4.5 million from the City Fields Foundation]

Supervisors Ammiano, Alioto-Pier, Maxwell, Ma, Dufty

Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately $4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation; and requiring the RPD General Manager to submit an annual report to the Board that describes actions taken in furtherance of the agreement.

Enacted Number: 77-06
FINALLY PASSED

Recommendations of the Rules Committee

060332 [Settlement of Lawsuit - Mirvat Harb]

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

060335 [Settlement of Lawsuit - Reliant Energy, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

PASSED, ON FIRST READING

060034 [Expanding the Western SoMa Citizens Planning Task Force] Supervisor Daly

Resolution expanding the Western SoMa Citizens Planning Task Force and re-defining the Task Force's quorum.

Enacted Number: 228-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

060253 **[Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]** Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma

Ordinance appropriating $10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for $840,000, Lake Merced - Overlook and Trail for $145,860, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, Kelloch - Velasco Park for $617,507, Visitacion Valley Greenway (Raceway) - Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

Enacted Number: 79-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060394 **[Appropriating $660,000 to the Department of Children, Youth and Their Families to support the John Swett Alternative School in Department Fiscal Year 2005-06]** Supervisors Mirkarimi, Daly, Ammiano

Ordinance appropriating $330,000 of Unappropriated General Fund and $330,000 of Children's Baseline Reserve to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

(Fiscal impact.)(Supervisor Elsbernd dissenting in committee)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 83-06

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

Excused: 2 - Alioto-Pier, McGoldrick

060341 **[Appropriating $250,000 to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006]** Supervisor Ma

Ordinance appropriating $250,000 of Unappropriated General Fund Revenue to the Arts Commission, Cultural Equity Endowment Grants for Fiscal Year 2005-2006; and reserving the appropriation pending receipt of additional information from the Arts Commission.

(Fiscal impact.)

Enacted Number: 80-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060166 **[First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; increasing FSHA reporting requirements, liquidated damages, and penalty sections; amending** Supervisors Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 7) increase liquidated damages from up to $2,070.00 to up to $5,000.00 against contractors for initial violations of this Chapter, add provision of liquidated damages of up to $10,000.00 against contractors for each violation discovered during second investigation by FSHA and to provide for administrative review; and 8) increase penalties against permittees and contractors engaged in non-City work performed in San Francisco from up to $2,070.00 to up to $5,000.00 who fail to comply with this Chapter and to provide for administrative review.

Enacted Number: 76-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051917 [Amending Community Court Program Administrative Fee] Supervisor Daly

Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060412 [Appropriating $6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006] Supervisors Ma, Daly, Mirkarimi

Ordinance appropriating $6,371,327 to fund violence prevention programming and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include $4,200,000 from the Unappropriated General Fund Balance, $991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes $1,731,327 for Children, Youth and Their Families, $200,000 for the Public Defender, $1,390,000 for the Juvenile Probation Department, $1,300,000 for the Mayor's Office of Economic and Workforce Development, $100,000 for the Mayor's Office of Criminal Justice, $450,000 for the Mayor's Office of Community Development, $400,000 for the Sheriff's Department, and $800,000 for the Department on the Status of Women; and reserving $931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and $1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060209 [2006 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2006 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Enacted Number: 229-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060365 [Proposition J Certification, Bad Checks Restitution Program Services] Supervisor Dufty

Resolution concurring with the Controller's certification that the Bad Checks Restitution Program can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060397 [Adopting Board of Supervisors' 2006 Budget Policy Priorities] Supervisor Daly

Resolution adopting the San Francisco Board of Supervisors' 2006 Budget Policy Priorities.

Amended on page 2, line 6, after "uninsured San Franciscans" by inserting "most vulnerable in our community: low-income youth and seniors, the working poor, immigrants, and persons with mental illness and substance abuse issues" and further amended on page 4, line 17, by inserting "expand hours of recreational centers".

Supervisor Ma, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060401 [Board review and approval of 2006 U.S. Department of Housing and Urban Development Continuum of Care Programs Application] Supervisor Dufty

Resolution approving the City and County of San Francisco 2006 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)

Enacted Number: 227-06

ADOPTED.

From the Government Audit and Oversight Committee Without Recommendation

051724 [Personal Services Minimum Contractual Rate Ordinance] Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Excused: 2 - Alioto-Pier, McGoldrick

Recommendation of the Land Use and Economic Development Committee

051964 [Urging Planning Commission to Update Transportation Analyses under CEQA] Supervisor Mirkarimi

Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local environmental review criteria to assess transportation impacts more accurately in conformance with updated analytical methods.

Enacted Number: 233-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to Justice Hernando Vegas from Venezuela.

Supervisor Mirkarimi welcomed, introduced and presented a Certificate of Honor to Cheryl Brodie and Richard Shadoian in recognition of efforts to implement programs for disaster plans for citizens.

COMMITTEE REPORTS

060321 [Fillmore Street Farmers Market] Supervisor Alioto-Pier

Resolution allowing for occupancy of a portion of the sidewalk and the parking lane on the east side of Fillmore between Chestnut and Bay Street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 6, 2006 through October 28, 2006.

Enacted Number: 231-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060342 [Traffic Regulation - Mendell Street between Palou Avenue] Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Saturday

between April 29, 2006 through December 9, 2006.

Enacted Number: 234-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060352 [Traffic Regulations] Supervisors Mirkarimi, Dufty

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Market Street, westbound, from Van Ness Avenue to Octavia Boulevard, and eastbound, from Gough Street to 12th Street.

Enacted Number: 235-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060353 [Parking Regulations] Supervisor Mirkarimi

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4PM - 7PM - RESCIND
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING MONDAY THROUGH FRIDAY, 7AM - 9AM - RESCIND
Market Street, south side, from Gough Street to 12th Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Gough Street to 12th Street.

PERPENDICULAR PARKING - ESTABLISH
12th Street, west side, from Market Street to 400 feet southerly.

DIAGONAL PARKING (45-DEGREE ANGLED) - ESTABLISH
Gough Street, east side, from Market Street to 104 feet southerly, and from Stevenson Street to Colton Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY - ESTABLISH
Gough Street, east side, from Market Street to Colton Street, and west side, from Market Street to McCoppin Street.

ONE-HOUR TIME LIMIT, 7AM - 6PM, MONDAY THROUGH SATURDAY - RESCIND

Gough Street, east side, from Market Street to Stevenson Street, and west side, from Market Street to McCoppin Street.

Enacted Number: 226-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; offered congratulations for the 1906 Earthquake celebrations and expressed concern with issues relating to the SF Public Library

Eugene Gordon, Jr. expressed concern with issues relating to human rights issues

Beverly; expressed gratitude to the Board for supporting the domestic violence programs

Female speaker; requesting approving of funds for domestic violence program

Benjamin Latham, expressed gratitude for allocating funds for domestic violence programs

Male speaker; expressed gratitude to Supervisor Elsbernd and to the members of the Board of Supervisors for the 1906 Earthquake celebrations

Katherine Burke; expressed gratitude for allocating funds for domestic violence

Gloria Chan; expressed gratitude for allocating funds for domestic violence

Female speaker; showed support for the legislation relating to Poems under the Dome, April 27, 2006

Male speaker; showed support for the legislation relating to Poems under the Dome, April 27, 2006

Male speaker; showed support for the legislation relating to Poems under the Dome, April 27, 2006

Daniel Day; showed support for the legislation relating to Poems under the Dome, April 27, 2006

Robert Tumor; expressed gratitude for allocating funds for domestic violence programs

Abdullah Megaheed; showed interest in educating people in preparing for future disasters

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

CLOSED SESSION

The Board recessed at the hour of 3:07 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 3:39 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 8

Persons in attendance: Supervisors Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Cheryl Adams, Deputy City Attorney

Phil Ginsburg, Director, Human Resources Department

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

Supervisor Sandoval was noted absent at 3:07 p.m.

Continued to May 2, 2006

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

[Elect To Disclose] Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060485 **[Recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday]** Supervisors Dufty, Maxwell

Resolution recognizing the remarkable career of Sensei Keiko Fukuda and honoring her on the occasion of her 93rd birthday.

Enacted Number: 230-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060486 **[Commending Zoe Dell Lantis Nutter]** Supervisor Elsbernd

Resolution commending Zoe Dell Lantis Nutter, recipient of the San Francisco Aeronautical Society's Achievement in Aviation Award for 2005.

Enacted Number: 232-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060488 **[Department of Elections Outreach Program]** Supervisor Peskin

Resolution declaring April 2006 "Voter Education and Participation Month".

Enacted Number: 236-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060489 **[Supporting AB-2161, AB-2193, AB-2481, AB-2488, and AB-2489]** Supervisors Ma, Dufty

Resolution in support of the passage of AB 2161(Hancock), AB 2193 (Bass), AB 2481 (Evans), AB 2488 (Leno) and AB 2489 (Leno) to improve and enhance the State's Child Welfare Services to promote successful outcomes for California's, and San Francisco's, foster youth.

Enacted 237-06

Number:

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Severed from Without Reference to Committee Agenda

Supervisors Ma and Peskin requested that this matter be severed so that it might be considered separately.

060487 [Landmark Tree Program Criteria and Procedures] Supervisor McGoldrick

Resolution in support of the Urban Forestry Council's landmark tree criteria and procedure created in accordance with Ordinance Number 17-06.

Supervisor Ma requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and

County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

060494 **[Supporting funding for the application by the Mexican Museum to the California Cultural and Historical Endowment for Proporsition 40 grant funds]** Supervisors Sandoval, Mirkarimi

Resolution supporting funding for the application by the Mexican Museum to the California Cultural and Historical Endowment for Proposition 40 grant funds.

Enacted Number: 225-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050182 **[Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan]** Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

2/15/05, ASSIGNED.

2/15/05, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title

3/29/05, CONTINUED. Continued to April 5, 2005

4/5/05, CONTINUED. Continued to May 10, 2005

5/10/05, CONTINUED. Continued to June 14, 2005

6/14/05, RE-REFERRED to Land Use Committee.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

4/18/06, SUBSTITUTED. Supervisor Daly submitted a substitute bearing same title.

4/18/06, ASSIGNED to Land Use and Economic Development Committee.

4/18/06, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.

050183 **[Zoning Map amendments in connection with the Transbay Redevelopment Plan]** **Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

2/15/05, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

2/15/05, ASSIGNED to Land Use Committee.

3/29/05, CONTINUED. Continued to April 5, 2005

4/5/05, CONTINUED. Continued to May 10, 2005

5/10/05, CONTINUED. Continued to June 14, 2005

6/14/05, RE-REFERRED to Land Use Committee.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

4/18/06, SUBSTITUTED. Supervisor Daly submitted a substitute bearing the same title.

4/18/06, ASSIGNED to Land Use and Economic Development Committee.

4/18/06, CALLED FROM COMMITTEE. Supervisor Daly Called the Matter from Committee.

060524 **[Waiving the Competitive Requirements of the Administrative Code for the Procurement of Construction Services for Portion of the Laguna Honda Hospital Replacement Project]** **Supervisor Elsbernd**

Ordinance waiving the competitive requirements of Chapter 6 of the Administrative Code and authorizing the director of Public Works, with the assistance of the Construction Manager-at Risk, to negotiate the subcontracts for the renovation of Wing C and Building H of the Laguna Honda Hospital Replacement Project and modifying the contract with the CM-at Risk to incoporate said subcontacts into the CM-at Risk to incorporate said subcontracts into the CM-at-Risk's scope of work.

4/18/06, RECEIVED AND ASSIGNED to Rules Committee.

060227 [Electronic Reports of Campaign Contributions] Mayor

Ordinance adding section 1.112.5 to Article I, Chapter 1 of the Campaign and Governmental Conduct Code to require electronic disclosure of campaign contributions received by candidates for City Elective Office during the final forty-five days before an election at which the candidate's name will appear on the ballot.

(04/18/06 in Board: Mayor submitted a substitute ordinance bearing new title. No Fiscal impact.)

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/16/2006.

4/18/06, SUBSTITUTED. Mayor submitted a substitute bearing same title.

4/18/06, ASSIGNED to Rules Committee.

060501 [Campaign Finance Reform Ordinance Amendments] Mayor

Ordinance amending Sections 1.100, 1.104, 1.108, 1.114, 1.116, 1.122, 1.126, 1.128, 1.130, 1.135, 1.161 and 1.170, adding sections 1.107, 1.115, 1.162.5 and 1.163.5 and repealing section 1.132, Chapter 2 of Article I, section 1.200 and Chapter 4 of Article I, sections 1.400, 1.405, 1.410, 1.415, 1.420 and 1.425 of the Campaign and Governmental Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Finance Reform Ordinance ("CFRO"); subject School District and Community College District measures to CFRO; reenact contribution and voluntary expenditure limits at their existing levels; clarify sections of CFRO related to candidate loan restrictions, permissible uses of campaign funds, pre-election reporting requirements, and the contractor contribution prohibition; prohibit candidates from accepting voluntary expenditure ceilings if the applicable ceiling was already lifted; create late filing fees for reports required by CFRO; create new and clarify existing disclaimer requirements for campaign advertisements; create training requirements for candidates and treasurers; and require expenditures that are coordinated with candidates to be treated as contributions.

4/18/06, RECEIVED AND ASSIGNED to Rules Committee.

060503 [Notice Requirements For Board Hearings on Changes to Certain Traffic Regulations]

Ordinance amending Section 43 of the Traffic Code to repeal requirements that notice be posted in the newspaper 10 days prior to a hearing before the Board of Supervisors regarding a change in certain traffic regulations. (Clerk of the Board)

4/18/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

060487 [Landmark Tree Program Criteria and Procedures] Supervisor McGoldrick

Resolution in support of the Urban Forestry Council's landmark tree criteria and procedure created in accordance with Ordinance Number 17-06.

4/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/18/06, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ma requested that this matter be referred to Committee.

060495 **[Grant of Federal Funds - Municipal Transportation Authority]** **Supervisor Ma**

Resolution authorizing the Municipal Transportation Agency to accept and expend $2,851,800 of Transit Security Grant Program funds to create a sustainable effort for the protection of regional transit systems critical infrastructure from terrorism, excluding administrative overhead costs.

4/18/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060496 **[Accept-Expend a grant from the Friends of the San Francisco Public Library]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to retroactively accept and expend a grant in the amount of $23,400 from the Friends of the San Francisco Public Library for a part-time, as-needed, editor for the publication, At the San Francisco Public Library.

4/18/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060497 **[Accept-Expend Bequest of Harvey V. Berneking Living Trust]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of up to $500,000 from the Harvey V. Berneking Living Trust for public service improvements at the Main Library.

4/18/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060498 **[Grant to provide direct access to housing for chronic alcoholics]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $982,033 from the US Department of Housing and Urban Development (HUD) for direct access to housing for chronic alcoholics, to enter into an agreement for the use of these funds, and to add one (1.0) new position funded through this agreement; for the period of April 1, 2006, to March 31, 2008.

4/18/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060499 **[Stop signs - Chenery Street at Fairmount Street]** **Supervisor Dufty**

Resolution designating the intersection of Chenery Street at Fairmount Street as a "STOP" intersection.

(4/24/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in

the use of the street.)

4/18/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060500 **[Urging Water Board to Adopt a Water Discharge Permit for Potrero Power Plant that Protects the Bay]** Supervisors Maxwell, Peskin, Mirkarimi, Ma

Resolution urging the San Francisco Bay Regional Water Quality Control Board to issue water discharge permit for Potrero Power Plant that enforces the law and protects the Bay, and urging the Regional Water Board to reject the permit proposed by its staff and adopt the Community Permit, and urging the Regional Water Board to require Mirant to bring the plant into compliance immediately once it is not needed for electric reliability.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060502 **[Lease of Real Property, 1650 Mission St.]** Mayor

Resolution authorizing the renewal and expansion of an existing lease for the Human Services Agency and a new lease for the Department of City Planning with an option to purchase at 1650 Mission Street.

(Fiscal impact.)

4/18/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060511 **[Bessie Carmichael Elementary School/Filipino Education Center Grade Expansion]** Supervisors Daly, Ammiano, Ma

Resolution in Support of a Pre-kindergarten through 8th Grade Program at Bessie Carmichael Elementary School/Filipino Education Center.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060512 **[Urging the United States to immediately take effective action to stop the genocide in Darfur]** Supervisors Mirkarimi, Dufty, Maxwell

Resolution urging the United States to take action against the Republic of Sudan to end the genocide in Darfur.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060513 **[Commending the organizers of the first annual Poem Under the Dome]** Supervisors Mirkarimi, Maxwell

Resolution commending the organizers of the first annual Poem Under the Dome poetry open mic event in City Hall.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060514 **[Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration]** Supervisors Dufty, Peskin, Maxwell

Resolution commending the Municipal Transportation Agency (MTA) for

providing free MUNI service for the Earthquake Centennial Commemoration.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060515 [Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program] — Supervisors Dufty, Maxwell, Ammiano

Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060516 [Business Coalition for Benefits Tax Equity] — Supervisors Elsbernd, Ammiano

Resolution supporting repealing the taxation of domestic partner health insurance benefits and joining the business coalition for benefits tax equity.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060517 [Supporting Community Development Block Grant Program] — Supervisors Elsbernd, Maxwell, Daly, Dufty

Resolution urging the U.S. Congress to allocate $4.3 billion in funding for the fiscal year 2007 Community Development Block Grant Program.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060518 [Aneurysm and Arteriovenous Malformation Awareness Day] — Supervisor Ma

Resolution declaring May 7, 2006 as Aneurysm and Arteriovenous Malformation (AVM) Awareness Day.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060519 [Accept-Expend Bequest of Richard D. May Estate] — Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $20,000 from the RICHARD D. MAY estate to digitize, for public service use, unique historical periodicals dealing with the history of construction and architecture in the Bay Area.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060520 [Accept-Expend Bequest of Marge Falk Trust] — Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $19,077 from the MARGE FALK Revocable Trust for public service improvements at the Library for the Blind located within the Main Library.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060521 [Accept-Expend Bequest of Edgar Bowers Estate] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $12,403.52 from the EDGAR BOWERS estate for improvements at the Main Library.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060522 [Accept-Expend Bequest of Lorayne Habata Estate] Supervisors Elsbernd, Mirkarimi

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $65,627.76 from the LORAYNE HABATA estate for landscape improvements at the Western Addition Branch Library in coordination with the renovation of the library scheduled to begin in summer 2006, with completion in late 2007.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060523 [Supporting AB 2865, the Healthy Day Cares bill] Supervisors Ma, Ammiano

Resolution supporting Assembly Bill 2865 (Torrico), the Healthy Day Cares bill.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060525 [SF Fighters Local 798 and SF Fire Department Historical Society Commendation] Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending the San Francisco Fire Fighters Local 798 and the San Francisco Fire Department Historical Society for coordinating a successful parade to commemorate the 1906 Earthquake and Fire.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060526 [Grant funds to provide a nutrition and fitness program for students at Balboa High School and adding one new position] Supervisors Sandoval, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend grant funds in the amount of $34,351 from the San Francisco Public Health Foundation for a nutrition and fitness program for students at Balboa High School, adding one (1.0) new position through these funds; for the period of April 1, 2005, to September 30, 2006.

4/18/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060504 [State of the City's Disaster Preparedness Hearing] Mayor

Hearing on the state of the City's disaster preparedness. Allowed under Administrative Code Section 7.19, this hearing will allow relevant city departments to update Supervisors on the City's disaster planning and preparedness activities.

4/18/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060460 [John Elberling Reappointment to the Treasure Island Development Authority Board of Directors] Mayor

Resolution confirming the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, term ending February 26, 2010.

3/23/06, RECEIVED AND ASSIGNED to Rules Committee.

060461 [Appointment - Treasure Island Development Authority Board of Directors]

Resolution confirming the appointment of Ted Dienstfrey to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

3/23/06, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate driver visibility concerns at the intersection of Chumasero Drive and Brotherhood Way and exiting the garage at Park Merced.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft legislation (and consult with the Office of Emergency Services and the Office of the Controller) to establish a modest reward system designed to certify and incentivize San Francisco households to achieve a combination of the following: Successfully Completed the NERT course; Construct a Disaster Preparedness Kit; and Establish a Community (precinct) Disaster Preparedness Plan. It is advised that funds used toward this citywide objective are solicited through Homeland

Security and Federal grants.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To prepare a motion for the Board of Supervisors to sit in closed session on Tuesday, May 2, 2006 for the purpose of conferring with, or receiving advice from, the City Attorney and the Public Utilities Commission on pending litigation with P.G.& E.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing the graffiti on the following properties: 425 Irving, 534 Irving, 904 Irving, 1400 Irving, Irving/16th Avenue, 1291 18th Avenue, 1501 Lincoln, 1205 15th Avenue, 1201 6th Avenue, 764 Stanyan, 1816 Haight and 500 Baker.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing the graffiti on the following properties: 1550 Steiner, 1101 Oak, 1213 Fell, 262 Divisadero, 728 Divisadero, 921 Divisadero, 1033 Divisadero, 2245 Post, 2120 Geary, 2186 Geary and 1760 Broderick.

From:

In Memoriams

Nygon Tuey Fong Jew (Supervisor Peskin)

George K. Wong (Supervisor Ma)

Kathleen McCullum (Supervisor Sandoval)

Alicia Marquez (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:41 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 16, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.
Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets).

Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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Board of Supervisors

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MEETING MINUTES

Tuesday, April 25, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve April 4, 2006 Board Meeting Minutes and Special Board Meeting Minutes for the Budget and Finance Committee meeting for April 5, 2006. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

Gloria L. Young, Clerk of the Board informed the Board that Item No. 51

(File No. 050520) was calendared in error.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051917 [Amending Community Court Program Administrative Fee] Supervisor Daly

Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

Enacted Number: 87-06
FINALLY PASSED

060412 [Appropriating $6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006] Supervisors Ma, Daly, Mirkarimi

Ordinance appropriating $6,371,327 to fund violence prevention programming and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include $4,200,000 from the Unappropriated General Fund Balance, $991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes $1,731,327 for Children, Youth and Their Families, $200,000 for the Public Defender, $1,390,000 for the Juvenile Probation Department, $1,300,000 for the Mayor's Office of Economic and Workforce Development, $100,000 for the Mayor's Office of Criminal Justice, $450,000 for the Mayor's Office of Community Development, $400,000 for the Sheriff's Department, and $800,000 for the Department on the Status of Women; and reserving $931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and $1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

Enacted Number: 86-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

051535 [Liquor License, 2222 Polk Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 627 Vallejo Street to 2222 Polk Street to Michael Dabit for Polk and Green Produce Market will serve the public convenience and necessity of the people of the City and County of

San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 240-06
ADOPTED

060003 [Liquor License, Pier 50A, San Francisco]

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage control license to Peter Granoff, for Ferry Plaza Wine Merchant, LP located at Pier 50A, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 241-06
ADOPTED

060294 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, from the 1100 block of Rhode Island to 22nd Street (1000 block); and,
Bryant Street, both sides, between 21st and 22nd Streets (2300 block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Lincoln Avenue, south side, between 7th and 8th Avenues (600 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, west side, between Haight and Waller Streets (200 block, odd numbers).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between Cesar Chavez and 27th Streets (portion of the 1400 block).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Geary Street, south side, from the Powell Street intersection to 138 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
South Van Ness Avenue, west side, from 60 to 100 feet north of Cesar Chavez Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Harriet Street, west side, from 245 feet to 292 feet north of Bryant Street (A 47-foot zone accommodating 12 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING, 8 PM TO 4 AM, FRIDAY NIGHT THROUGH SUNDAY MORNING - ESTABLISH
Broadway, both sides, between Columbus Avenue and Montgomery Street.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, between Main and Beale Streets.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

BUS STOP, TOW-AWAY, NO PARKING, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Howard Street, south side, from Spear Street to 90 feet easterly.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Holyoke Street, west side, between Woolsey Street and Karen Court.

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Guerrero Street, east side, from 21st Street to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
10th Avenue, east side, between the driveways of 1365 and 1371 10th Avenue (accommodating 2 unmetered motorcycle spaces). (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Enacted Number: 243-06
ADOPTED

060293 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Jackson Street at Leavenworth Street, westbound, making this intersection an All-Way STOP;
Monterey Boulevard and Congo Street, stopping Monterey Boulevard, making this intersection an All-Way STOP;
14th and Harrison Streets, stopping Harrison Street, making this intersection an All-Way STOP; and,
San Bruno Avenue at Felton Street, stopping San Bruno Avenue, making this

intersection an All-Way STOP. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Enacted Number: 242-06
ADOPTED

060295 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Howard Street, eastbound, approaching Spear Street.

BICYCLE LANE - ESTABLISH
Howard Street, westbound, from the Embarcadero to Fremont Street

BICYCLE LANE - ESTABLISH
Northbound Potrero Avenue at the Cesar Chavez Interchange, from the 101 southbound off-ramp to 190 feet southerly.

MULTIPLE LEFT TURN LANES - RESCIND
Fell Street, westbound, at Octavia Boulevard.

LEFT LANE MUST TURN LEFT - RESCIND
Fell Street, westbound, at Octavia Boulevard.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - RESCIND
Van Ness Avenue southbound, at Bay Street. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Enacted Number: 244-06
ADOPTED

060314 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 245-06
ADOPTED

060315 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Stopping Haight Street at the south leg of Cole Street, making the west-most Cole Street T-intersection with Haight Street an all-way STOP.

PAINTED CROSSWALK - DELETE
Remove painted crosswalk crossing Haight Street at the north leg of Cole Street (to encourage pedestrian crossings at new all-way STOP).

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 246-06
ADOPTED

060351 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Duncan and Dolores Streets, stopping Dolores Street at Duncan Street, making this intersection an All-Way STOP.

Enacted Number: 247-06
ADOPTED

060373 [Traffic Regulations] Supervisor Peskin

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
North Point Street, both directions, from Van Ness Avenue to The Embarcadero.

RIGHT LANE MUST TURN RIGHT - RESCIND
North Point Street, eastbound approaching The Embarcadero.

LEFT LANE MUST TURN LEFT - RESCIND
North Point Street, eastbound approaching The Embarcadero.

(3/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 248-06
ADOPTED

060391 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $42,500 from the California Department of Transportation Bicycle Transportation Account (BTA) to collaborate with the nonprofit organization BikeStation on the Embarcadero bike station facility improvement and services upgrade.

Enacted Number: 250-06
ADOPTED

060445 [Grant to support community program planning and system improvement as part of the Mental Health Services Act] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $656,945 from the California Department of Mental Health for Community Program Planning and System Improvement as part of the Mental Health Services Act (MHSA) (Prop 63), and to enter into an agreement for the use of these funds; for the period of January 6, 2006 to September 30, 2006.

Enacted Number: 253-06
ADOPTED

Recommendations of the Rules Committee

060332 [Settlement of Lawsuit - Mirvat Harb]

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 85-06
FINALLY PASSED

060335 [Settlement of Lawsuit - Reliant Energy, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

Enacted Number: 84-06
FINALLY PASSED

060436 [Appointment - Sunshine Ordinance Task Force 2000]

Resolution appointing Erica Craven, Richard Knee, Sue Cauthen, Kristin R. M. Chu, David Pilpel, Bruce Wolfe, and Hanley Chan, terms ending April 27, 2008, to the Sunshine Ordinance Task Force.

Erica Craven, succeeding herself, term expiring April 27, 2006, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for a two-year term ending April 27, 2008. Richard Knee, succeeding himself, term expiring April 27, 2006, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a journalist, for a two-year term ending April 27, 2008. Sue Cauthen, succeeding herself, term expiring April 27, 2006, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2008. Kristin R. M. Chu, succeeding Heather Sterner, term expiring April 27, 2006, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2008. David Pilpel, succeeding himself, term expiring April 27, 2006, seat 7, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2008. Bruce Wolfe, succeeding himself, term expiring April 27, 2006, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008. Hanley Chan, succeeding himself, term expiring April 27, 2006, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Enacted 251-06

Number:
ADOPTED

060439 [Appointment - Mental Health Board]

Resolution appointing John Kevin Hines and Virginia Wright, terms ending January 31, 2009, to the Mental Health Board.

John Hines, succeeding himself, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2009. Virginia Wright, succeeding Dorothy Shaffer, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2009.

Enacted Number: 252-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

051724 [Personal Services Minimum Contractual Rate Ordinance] Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

Enacted Number: 88-06

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Maxwell, Peskin

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

060395 **[Retention of Grocery Workers Upon Change In Control of Grocery Store]** — Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060388 **[Parking Regulations]** — Supervisor Mirkarimi

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Market Street, north side, from Franklin Street to Rose Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY - ESTABLISH
Market Street, north side, from Franklin Street to Rose Street.

(3/24/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 249-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

060013 [Amending the Police Code to allow pawnbrokers to operate on Mondays following a holiday] Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Mondays following a holiday, and to make clerical corrections.

Continued to May 9, 2006

Supervisor Ma, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006] Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis from May 27, 2006 and continuing for six months through November 25, 2006, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING

NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Called from the Land Use and Economic Development Committee

050182 [Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan] — Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 2, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be **CONTINUED.** The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 2, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

050784 [Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting] Supervisors Ma, Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060432 [Adding qualified non-profit enterprises to Small Local Business Enterprise Program] Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060392 [Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Three Members] Supervisor Dufty

Motion amending the Board of Supervisors Rules of Orders by amending Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of three members of the Board of Supervisors.

Enacted Number: M06-36

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060404 [Appointment - Police Commission]

Motion confirming the Rules Committee's nomination of, and appointing, David Campos, term ending April 30, 2010, to the San Francisco Police Commission.

David Campos, succeeding himself, term expiring on April 30, 2006, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2010.

Enacted Number: M06-37

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060446 [Dr. Joe Marshall Reappointment to the Police Commission] Mayor

Motion confirming the Mayor's nomination of, and reappointing, Dr. Joe Marshall to the San Francisco Police Commission for a four-year term ending April 30, 2010.

(Charter Section 4.109 - Board of Supervisors must act witin 60 days from the date the nomination is transmitted from the Mayor to the Clerk of the Board's Office. If the Board fails to act on the Mayor's nomination within the 60 days the Mayor's nominee shall be deemed approved. Transmittal Date: 4/4/06.)

Enacted Number: M06-38

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

Continued to May 2, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

060199 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 869 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 30, 2005 (Case No. 2005.0399E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15303; Class Numbers 1 and 3], the proposed project involving the demolition of a vacant two-story, single-family residential building and the construction of a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf). The proposed project would include three off-street parking spaces in a surface level garage. The project site is a 3,437.5 square feet in size located at 869 North Point Street, Assessor's Block 0026, Lot 019B in the Russian Hill Neighborhood, within the RH-3 (Residential House District, Three-Family) zoning district and a 40-X Height and Bulk district. (Appellants: Roland Salvato on behalf of the Aquatic Park Neighbors and the Ghirardelli Square Neighbors.)

(Filed 3/14/06; companion measure to Files 060200, 060201, 060202; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Roland Salvato; appellant, Aquatic Park Neighbors

Melanie Moberg; support of appellant

Female speaker; support of appellant

F. Joseph Butler, Architect; support of appellant

Marian Henman, support of the appellant

Bill Wycko, and Adam Light, Planning Department representatives reviewed with the Board the Planning Department's recommendation.

David Cincotta, Attorney for the project sponsor

F. Joseph Butler, appellant rebuttal period

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060200 [Affirming the categorical exemption issued for the 869 North Point Street project]

Motion affirming the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060201 [Disapproving the categorical exemption issued for the 869 North Point Street project]

Motion disapproving the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M06-39

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060202 [Preparation of findings related to the 869 North Point Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 869 North Point Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M06-40

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Miles Kraus; expressed concern with the sewer system in San Francisco

John da Donna; expressed concern with issues relating to the Iraq War

Eugene Gordon, Jr.; expressed concern with human rights issues

Steven McNear; support of legislation relating to ending the genocide in Darfur

Mark Levin; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Sarah Taylor; support of legislation relating to ending the genocide in Darfur

Edward Cotell; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Fred Paris; support of Item 41 water discharge permit for Potrero Power Plant

Male Speaker; support of legislation relating to end the genocide in Darfur

Female speaker; expressed concern with general issues

Kimo Crossman; congratulated James Chaffee on his knowledge of the Sunshine Ordinance provisions and expressed concern with the SFWFI Network selection of Earthlink as the WFI providers for San Francisco

Terri; support of legislation relating to ending the genocide in Darfur

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060433 **[Issuance and Sale of Refunding Revenue Bonds - National Center for International Schools]** Supervisor Daly

Resolution approving the issuance and sale of refunding revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $18,500,000 for the refinancing of the acquisition, construction, improvement, expansion and equipping of the certain school facilities owned and operated by the National Center for International Schools.

Enacted Number: 220-06

ADOPTED

060511 **[Bessie Carmichael Elementary School/Filipino Education Center Grade Expansion]** Supervisors Daly, Ammiano, Ma

Resolution in Support of a Pre-kindergarten through 8th Grade Program at Bessie Carmichael Elementary School/Filipino Education Center.

Supervisors Ammiano and Ma requested to be added as co-sponsors.

Enacted Number: 269-06

ADOPTED

060513 **[Commending the organizers of the first annual Poem Under the Dome]** Supervisors Mirkarimi, Maxwell

Resolution commending the organizers of the first annual Poem Under the Dome poetry open mic event in City Hall.

Supervisor Maxwell requested to be added as a co-sponsor.

Enacted Number: 256-06

ADOPTED

060514 [Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration] Supervisors Dufty, Peskin, Maxwell

Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration.

Supervisor Maxwell requested to be added as a co-sponsor.

Enacted Number: 257-06

ADOPTED

060515 [Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program] Supervisors Dufty, Maxwell, Ammiano

Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 258-06

ADOPTED

060516 [Business Coalition for Benefits Tax Equity] Supervisors Elsbernd, Ammiano

Resolution supporting repealing the taxation of domestic partner health insurance benefits and joining the business coalition for benefits tax equity.

Enacted Number: 259-06

ADOPTED

060517 [Supporting Community Development Block Grant Program] Supervisors Elsbernd, Maxwell, Daly, Dufty

Resolution urging the U.S. Congress to allocate $4.3 billion in funding for the fiscal year 2007 Community Development Block Grant Program.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 260-06

ADOPTED

060518 [Aneurysm and Arteriovenous Malformation Awareness Day] Supervisor Ma

Resolution declaring May 7, 2006 as Aneurysm and Arteriovenous Malformation (AVM) Awareness Day.

Enacted Number: 261-06
ADOPTED

060519 [Accept-Expend Bequest of Richard D. May Estate] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $20,000 from the RICHARD D. MAY estate to digitize, for public service use, unique historical periodicals dealing with the history of construction and architecture in the Bay Area.

Enacted Number: 262-06
ADOPTED

060521 [Accept-Expend Bequest of Edgar Bowers Estate] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $12,403.52 from the EDGAR BOWERS estate for improvements at the Main Library.

Enacted Number: 263-06
ADOPTED

060522 [Accept-Expend Bequest of Lorayne Habata Estate] Supervisors Elsbernd, Mirkarimi

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $65,627.76 from the LORAYNE HABATA estate for landscape improvements at the Western Addition Branch Library in coordination with the renovation of the library scheduled to begin in summer 2006, with completion in late 2007.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 264-06
ADOPTED

060523 [Supporting AB 2865, the Healthy Day Cares bill] Supervisors Ma, Ammiano

Resolution supporting Assembly Bill 2865 (Torrico), the Healthy Day Cares bill.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 270-06
ADOPTED

060525 [SF Fighters Local 798 and SF Fire Department Historical Society Commendation] Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending the San Francisco Fire Fighters Local 798 and the San Francisco Fire Department Historical Society for coordinating a successful parade to commemorate the 1906 Earthquake and Fire.

Supervisors Elsbernd and Ma requested to be added as co-sponsors.

Enacted Number: 265-06

ADOPTED

060526 [Grant funds to provide a nutrition and fitness program for students at Balboa High School and adding one new position] Supervisors Sandoval, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend grant funds in the amount of $34,351 from the San Francisco Public Health Foundation for a nutrition and fitness program for students at Balboa High School, adding one (1.0) new position through these funds; for the period of April 1, 2005, to September 30, 2006.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 266-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

060500 [Urging Water Board to Adopt a Water Discharge Permit for Potrero Power Plant that Protects the Bay] Supervisors Maxwell, Peskin, Mirkarimi, Ma

Resolution urging the San Francisco Bay Regional Water Quality Control Board to issue water discharge permit for Potrero Power Plant that enforces the law and protects the Bay, and urging the Regional Water Board to reject the permit proposed by its staff and adopt the Community Permit, and urging the Regional Water Board to require Mirant to bring the plant into

compliance immediately once it is not needed for electric reliability.

Supervisors Peskin, Mirkarimi and Ma requested to be added as co-sponsors.

Enacted Number: 254-06

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately

060512 **[Urging the United States to immediately take effective action to stop the genocide in Darfur]** Supervisors Mirkarimi, Dufty, Maxwell

Resolution urging the United States to take action against the Republic of Sudan to end the genocide in Darfur.

Supervisors Dufty and Maxwell requested to be added as co-sponsors.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution urging U.S. to immediately take effective action to stop the genocide in Darfur.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the purely commendatory finding. The motion carried by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060531 **[Armenian Genocide Commemoration Day]** **Supervisors Peskin, Elsbernd, Mirkarimi**

Resolution declaring April 25, 2006 As Armenian Genocide Commemoration Day in San Francisco.

Supervisors Elsbernd and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 267-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060532 **[Sherry Williams Commendation]** **Supervisor Daly**

Resolution commending Sherry Williams, Director of the Treasure Island Homeless Development Initiative ((TIHDI) for over 10 years of dedicated service and outstanding service on behalf of the Treasure Island Community.

Enacted Number: 268-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060533 **[Chinatown Visitor Retail Zoning District: Other Entertainment]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 811.47b of the Retail Sales and Services section of Table 811 to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District and by adding Section 811.47b to the Specific Provisions for Chinatown Visitor Retail District of Table 811 noting that the other entertainment use must be in conjunction with an existing full-service restaurant; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

060534 **[Revising and clarifying procedures for imposition and collection of the 911 Emergency Response Fee imposed on telephone service subscribers]** Supervisor Peskin

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.

4/25/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/25/2006. 5/8/06 - Per e-mail from David Owen, the President waived the 30-Day Rule.

060535 **[Memorandum of Understanding - Deputy Sheriffs' Association]** Mayor, Supervisor Dufty

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association to be effective July 1, 2005 through June 30, 2009.

(Fiscal impact.)

4/25/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060536 **[Appropriating $891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006]** Mayor

Ordinance appropriating $891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006.

(Fiscal impact.)

4/25/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060537 **[Zoning - Ordinance creating the Lower Haight Street Alcohol Restricted Use District]** Supervisor Mirkarimi

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District prohibiting liquor establishments and providing for a three year sunset provision; amending Zoning Map Number 7SU of the City and County of San Francisco to indicate the boundaries of the Lower Haight Street Alcohol Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

060538 [Zoning Amendment - 645 Baker Street and 1795 McAllister Street] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sheet 2 of the Zoning Map of the City and County of San Francisco to change the use designation of Block 1177/Lot 001 and Block 1178/Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

060539 [Modifying the driving requirement for designated taxi company managers] Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company managers.

4/25/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/25/2006.

Resolutions

060531 [Armenian Genocide Commemoration Day] Supervisors Peskin, Elsbernd, Mirkarimi

Resolution declaring April 25, 2006 As Armenian Genocide Commemoration Day in San Francisco.

4/25/06, ADOPTED. Supervisors Elsbernd and Mirkarimi requested to be added as co-sponsors.

060532 [Sherry Williams Commendation] Supervisor Daly

Resolution commending Sherry Williams, Director of the Treasure Island Homeless Development Initiative ((TIHDI) for over 10 years of dedicated service and outstanding service on behalf of the Treasure Island Community.

4/25/06, ADOPTED.

060540 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Elizabeth and Noe Streets, stopping Noe Street at Elizabeth Street, making this intersection an All-Way STOP.

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 5/15/06 meeting of the City Operations & Neighborhood Services Committee.

060541 [Parking Regulations] Supervisor Dufty

Resolution enacting and rescinding parking regulations at various locations.

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 10 AM, DAILY - ESTABLISH "297" Duncan Street, south side, from 18 feet to 57 feet, east of Church Street (39-foot zone)

GREEN ZONE (10 MINUTE TIME LIMIT), 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 7 PM, DAILY - ESTABLISH "299" Duncan Street, south side, from Church Street to 18 feet easterly (18-foot zone)

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 5/15/06 meeting of the City Operations & Neighborhood Services Committee.

060545 [Urging the San Francisco Police Commission ensure the new reform policy includes rigorous oversight to prevent misconduct of its police officers] Supervisor Ammiano

Resolution urging the San Francisco Police Commission ensure thorough methods of oversight of misconduct issues in the new reform policy submitted by the San Francisco Police Department.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060546 [Asian Pacific Islander Family Resources Network Day] Supervisor Ma

Resolution recognizing May 5, 2006 as "Asian Pacific Islander Family Resources Network (APIFRN) Day."

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060547 [Accept-Expend Federal and State Grants for Voting Equipment] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed $400,000 for voting equipment for the June 6, 2006 election.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060548 [Phillip and Sala Burton Human Rights Center] Supervisors Peskin, Dufty, Daly, McGoldrick, Mirkarimi, Ma

Resolution supporting the two-year development plan for the Phillip and Sala Burton Human Rights Center and declaring June 1st, 2006 Phillip and Sala Burton Day in San Francisco.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060549 [Gift to City of Travel from Chamber of Commerce for 2006 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City official's or employees to join the Chamber on its 2006 CityTrip to New York City.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060554 [Commending Cleopatra Vaughns] Supervisor Ma

Resolution commending Cleopatra Vaughns and acknowledging her tremendous contributions to the San Francisco Municipal Transportation Agency.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

060544 [Legislative Analyst Request - Allocated appropriated funds for violence prevention] Supervisor Ma

Motion requesting the Legislative Analyst to prepare a report (File No. 060412) on how funds are appropriated for violence prevention will be allocated by the various departments.

4/25/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 2, 2006.

Requests for Hearing

060542 [Streetlight Management] Supervisor Sandoval

Hearing to address Streetlight Management issues in San Francisco.

4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard before the City Operations and Neighborhood Services Committee.

060543 [Urban Forest Plan] Supervisor McGoldrick

Hearing on the Urban Forest Plan produced by the Department of the Environment.

4/25/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

060530 [Settlement of Lawsuit - Donald Sargeant]

Ordinance authorizing settlement of the lawsuit filed by Donald Sargeant against the City and County of San Francisco for $225,000; the lawsuit was filed on March 25, 2005 in San Francisco Superior Court, Case No. 439-805; entitled Donald Sargeant v. City and County of San Francisco, et al.

4/13/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Scott Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Steiner Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti at the following locations: 243 Divisadero, Golden Gate/Scott NE corner, 920 Scott, 1231 Grove, 1247

Fulton, 1200 Fulton, 726 Fillmore, and 624 Fillmore.

From: Supervisor Mirkarimi

To: Director Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Fillmore Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Divisadero Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti at the following locations: All street signs on the streets surrounding Alamo Square including both sides of Fulton, Steiner, Hayes,

Alex Brucker - Supervisors Dufty and Elsbernd

Fausto Vitello - Supervisors Mirkarimi and Elsbernd

Julia Narchi Farrah - Entire Board

Adolph Gasser - Entire Board

Willie Allen - Supervisor Mirkarimi

Joseph Freitas, Jr. - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:00 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological

sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 6, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, May 2, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Sophie Maxwell.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum.

Supervisor Maxwell was excused from attending today's meeting.

Supervisor Maxwell Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to excuse Supervisor Maxwell from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

060395 [Retention of Grocery Workers Upon Change In Control of Grocery Store] — Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon

change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

Enacted Number: 90-06
FINALLY PASSED

050784 [Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting] Supervisors Ma, Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

Enacted Number: 92-06
FINALLY PASSED

060432 [Adding qualified non-profit enterprises to Small Local Business Enterprise Program] Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

Enacted Number: 91-06
FINALLY PASSED

060463 [Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]

Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v.

City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment. (City Attorney)

PASSED, ON FIRST READING

060506 [Appointment - Urban Forestry Council]

Resolution appointing Milton Marks, term ending April 5, 2007, to the Urban Forestry Council.

Milton Marks, succeeding Michael Sullivan, resigned, seat 6, must be a representative of the community, for a two year-term ending April 5, 2007.

Enacted Number: 271-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Severed From the Consent Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

060405 [Appointment - Biodiesel Access Task Force]

Resolution appointing Adam Hagen, Eric Bowen, Melissa Hardy, Benjamin P. Jordan and Karri Ving, terms ending December 31, 2007, to the Biodiesel Access Task Force.

Adam Hagen, new appointment, seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007. Eric Bowen, new appointment, seat 2, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007. Melissa Hardy, new appointment, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and

consumer, for a term ending December 31, 2007. Benjamin P. Jordan, new appointment, seat 4, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007. Karri Ving, new appointment, seat 5, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007. Community members may include organizations. No organization may have more than one representative on the Task Force.

Enacted Number: 286-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006] Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this

Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060393 [Prohibiting Smoking on Golf Courses] Supervisors McGoldrick, Ammiano

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)

Continued to May 9, 2006.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Ammiano, Daly, Dufty, McGoldrick, Mirkarimi
Noes: 4 - Elsbernd, Ma, Peskin, Sandoval
Excused: 1 - Maxwell

060473 [Appropriating $148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission] Mayor

Ordinance appropriating $148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060256 **[Sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to Redevelopment Agency for $1,500,000.00 and appropriating the sales proceeds** Supervisor Peskin

Ordinance approving the sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for $1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating $1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060338 **[Sale of Surplus Property -107 24th Ave.]**

Resolution confirming the sale of surplus City-owned property located at 107 24th Avenue (Lots 39 and 40 in Assessor's Block 1334) at public auction and authorizing the Director of Property to execute deeds to the successful bidders. (Real Estate Department)

Enacted Number: 287-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Maxwell

060409 **[Apply For-Accept-Expend Federal Funding - Community Development Block Grant]** Mayor

Resolution approving the 2006/07 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling $25,151,655; and approving an Expenditure Schedule.

Enacted Number: 277-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060413 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program] Mayor

Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $928,391; and approving the expenditure schedule for recipient agencies.

(Fiscal impact.)

Enacted Number: 276-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060419 [Apply For-Accept-Expend Federal Funding - HOME Program] Mayor

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling $15,016,330, and placing $5,000,000 on reserve for new family rental housing; and approving an Expenditure Schedule.

(Fiscal impact.)

Enacted Number: 275-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendation of the Government Audit and Oversight Committee

060368 [Fixing Compensation - Unrepresented Employees] Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendations of the Land Use and Economic Development Committee

051065 [Zoning Map Amendment for 425 Mason Street]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Supervisor Mirkarimi Excused From Voting

Supervisor Ammiano, seconded by Supervisor Daly, moved to excuse Supervisor Mirkarimi, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060443 [Prohibition on condominium conversion for buildings where specified evictions occurred] Supervisors Peskin, Ammiano, Daly, Maxwell

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

Continued to May 9, 2006.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Peskin, Sandoval
Excused: 2 - Maxwell, Mirkarimi

Recommendations of the Rules Committee

051837 **[Exceptions to the Ban on Compensated Advocacy]** — Supervisors Mirkarimi, Ammiano

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051876 **[Statements of Economic Interests for Candidates for City Elective Office]** — Supervisors Mirkarimi, Ammiano

Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060421 **[Confirming the reappointment of Reverend James McCray to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010]** — Mayor

Resolution confirming the reappointment of James McCray to the Board of

Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Enacted Number: 288-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060422 [Confirming the reappointment of Shirley Breyer Black to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010] Mayor

Resolution confirming the reappointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Enacted Number: 285-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060423 [Confirming the appointment of Mr. Tom Nolan to the Municipal Transportation Agency Board of Directors, term ending March 1, 2009] Mayor

Resolution confirming the appointment of Tom Nolan to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Enacted Number: 284-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060424 [Confirming the appointment of Leah Shahum to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008] Mayor

Resolution confirming the appointment of Leah Shahum to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Enacted Number: 283-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

From the Rules Committee Without Recommendation

060460 **[John Elberling Reappointment to the Treasure Island Development Authority Board of Directors]** Mayor

Resolution confirming the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, term ending February 26, 2010.

Enacted Number: 282-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060556 **[Hearing - Transbay Redevelopment Project, Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]**

Hearing of persons interested in or objecting to proposed Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

Speakers: Mike Grisso, Redevelopment Agency; Joshua S., Planning Department; Male speaker.

The President declared the public meeting closed.2

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Committee of the Whole Adjourn and Report Without Recommendation

060347 **[Transbay Redevelopment Project -Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]** Supervisor Daly

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.

(Fiscal impact.)

Amendments were made to the Option Agreement only.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Called from the Land Use and Economic Development Committee

050182 **[Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan]** Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Maxwell

050183 **[Zoning Map amendments in connection with the Mayor, Supervisor Daly Transbay Redevelopment Plan]**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Amendment of the Whole.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Maxwell

Ordinance amending the San Francisco Planning Code by amending Sectional Maps 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Maxwell

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Daly, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Supervisor Peskin welcomed, introduced and presented a commendation to Mario Avendano on the occasion of his retirement after serving 26 yrs. with S. F. Recreation and Park Department as Superintendent of Structural Maintenance and Assistant Superintendent of Parks.

SPECIAL ORDER 4:00 P.M.

060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

Continued to May 9, 2006.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060241 **[Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed views relating to Friends of the Library

Andy Williams; congratulated Supervisor Alioto-Pier on her new baby with song, "Born Free"

Eugene Gordon, Jr.; expressed concerns relating to money exchange and the environment

Female speaker; extended invitation to Supervisors to see documentary regarding September 11 tragedy

Jason; expressed concerns regarding information given to public on September 11

Lauren, Environmental Commissioner; expressed concerns regarding results

of radiation issues created by twin tower destruction on September 11

Christian Peaco; expressed concerns over information given to public as to who planned September 11 tragedy

Peter; expressed concerns regarding information given to public about Flight 93

Male speaker; extended invitation to Supervisors to see documentary at Grand Lake Theater

Male speaker; commending the making of the documentary to inform the public regarding September 11 tragedy

Female speaker; expressed concerns regarding MUNI service

Sylvia Johnson; expressed concerns regarding various issues

Christian Short; expressed concerns that September 11 was planned by our government

Cory; comments regarding his tour in Iraq and concerns regarding our government

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

060544 [Legislative Analyst Request - Allocated appropriated funds for violence prevention] Supervisor Ma

Motion requesting the Legislative Analyst to prepare a report (File No. 060412) on how funds are appropriated for violence prevention will be allocated by the various departments.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 [Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

CLOSED SESSION

The Board recessed at the hour of 4:42 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:02 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, - 7

Supervisors Alioto-Pier, Dufty, Maxwell and Sandoval were excused.

Persons in attendance: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Buck Delventhal, Deputy City Attorney

Monique Zmuda, Controller's Office

Phil Ginsburg, Director, Human Resources Department

Micki Callahan, Department of Human Resources

Gloria L. Young, Clerk of the Board

Continued to May 16, 2006

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

060555 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and the following regulatory matters in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

Pacific Gas and Electric Company v. City and County of San Francisco; U.S. Bankruptcy Court, Northern District of California, Case No. 01-30923-DM; Adv. Proc. No. 04-3071, filed April 30, 2004;

City and County of San Francisco v. Pacific Gas and Electric Company, Federal Energy Regulatory Commission, Docket No. EL05-133-000, filed June 29, 2005;

Pacific Gas & Electric Company, Docket No. ER05-1190-000, Federal Energy Regulatory Commission, filed July 1, 2005. (City Attorney)

Continued to May 9, 2006.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this

Motion be CONTINUED. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

CLOSED SESSION

The Board recessed at the hour of 4:08 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:41 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin - 7

Supervisors Alioto-Pier, Dufty, Maxwell and Sandoval were excused.

Persons in attendance: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Buck Delventhal, Deputy City Attorney

Ken Bruce, Budget Analyst Office

Monique Zmuda, Controller's Office

Susan Leal, SFPUC

Barbara Hale, SFPUC

Theresa Mueller, Deputy City Attorney

Laura Spanjian, SFPUC

Gloria L. Young, Clerk of the Board

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

From the Budget and Finance Committee Without Recommendation

060474 [Appropriating $3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E] Mayor

Ordinance appropriating $4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

(Fiscal impact.)

Continued to May 9, 2006.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060520 [Accept-Expend Bequest of Marge Falk Trust] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of $19,077 from the MARGE FALK Revocable Trust for public service improvements at the Library for the Blind located within the Main Library.

Enacted Number: 281-06

ADOPTED

060546 [Asian Pacific Islander Family Resources Network Day] Supervisor Ma

Resolution recognizing May 5, 2006 as "Asian Pacific Islander Family Resources Network (APIFRN) Day."

Enacted Number: 280-06

ADOPTED

060547 [Accept-Expend Federal and State Grants for Voting Equipment] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed $400,000 for voting equipment for the June 6, 2006 election.

Enacted Number: 279-06

ADOPTED

060549 [Gift to City of Travel from Chamber of Commerce for 2006 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City official's or employees to join the Chamber on its 2006 CityTrip to New York City.

Enacted Number: 278-06

ADOPTED

060554 [Commending Cleopatra Vaughns] Supervisor Ma

Resolution commending Cleopatra Vaughns and acknowledging her tremendous contributions to the San Francisco Municipal Transportation Agency.

Enacted Number: 274-06

ADOPTED

060577 [Final Map for a 48 Unit Commercial/Residential Condominium Project - 201 Sansome Street]

Motion approving Final Map of 201 Sansome Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 0260, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,972; District 3.)

Enacted Number: M06-43

APPROVED

060579 [Final Map for a 9 Unit Commercial/Residential Condominium Project - 334 6th Street]

Motion approving Final Map of 334 6th Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 3754, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,985; District 6.)

Enacted Number: M06-41

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Severed From the Without Reference to Committee Agenda

060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists] Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Supervisor McGoldrick moved, seconded by Supervisor Ammiano to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

Supervisors Maxwell, Dufty, Sandoval and Alioto-Pier were excused.

REFERRED to the City Operations and Neighborhood Services Committee by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

060545 **[Urging the San Francisco Police Commission ensure the new reform policy includes rigorous oversight to prevent misconduct of its police officers]** Supervisor Ammiano

Resolution urging the San Francisco Police Commission ensure thorough methods of oversight of misconduct issues in the new reform policy submitted by the San Francisco Police Department.

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

Amendment of the Whole

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution urging the San Francisco Police Commission to ensure thorough methods of oversight of performance issues, along with adequate technological and personnel support, in the implementation of an Early Intervention System, by the San Francisco Police Department.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060548 **[Phillip and Sala Burton Human Rights Center]** Supervisors Peskin, Dufty, Daly, McGoldrick, Mirkarimi, Ma

Resolution supporting the two-year development plan for the Phillip and Sala Burton Human Rights Center and declaring June 1st, 2006 Phillip and Sala Burton Day in San Francisco.

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

Supervisors McGoldrick, Mirkarimi and Ma requested to be added as cosponsors

Enacted Number: 272-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

060578 **[Final Map for a 104 Unit Commercial/Residential Condominium Project - 690 Market Street]**

Motion approving Final Map of 690 Market Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 006 in Assessor's Block No. 0311, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,993; District 3.)

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

Supervisor Peskin severed this item to make a clerical correction on agenda, "District 6" should be "District 3"

Enacted Number: M06-42

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

OFF-AGENDA LEGISLATION

Intorduced by Supervisors or the Mayor

Ordinances

060107 **[Child product safety]** **Supervisors Ma, Maxwell, Alioto-Pier**

Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

2/6/06, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and recommendation.

3/7/06, RESPONSE RECEIVED. Voted unanimously to support draft ordinance.

5/2/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title, and approved as to form.

5/2/06, ASSIGNED to City Operations and Neighborhood Services Committee.

060142 **[Public Works Code - sidewalk landscape permits]** Mayor, Supervisor Alioto-Pier

Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.

1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/14/06, REFERRED TO DEPARTMENT. Small Business for review and comments.

2/23/06, REFERRED TO DEPARTMENT. Planning Department for environmental review.

3/10/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.

5/2/06, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

5/2/06, ASSIGNED to Land Use and Economic Development Committee.

060593 **[Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco]** Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

5/2/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled for GAO meeting on Monday, May 8, 2006, as a committee report for May 9, 2006.

060595 **[First Source Hiring Program - expand definitions of "entry level position" and "economically disadvantaged individual."]** Supervisor Mirkarimi

Ordinance amending section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position."

5/2/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/1/2006.

060598 [Amending the Traffic Code to authorize establishing back-in only angled parking spaces] Supervisor Maxwell

Ordinance amending the San Francisco Traffic Code by amending Section 55 to authorize the Municipal Transportation Agency, with the approval of the Board of Supervisors, to establish back-in only angled parking spaces.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

060599 [Allowing commercial vehicles that are actively loading or unloading during rush hour to block bike lanes on Illinois Street between 16th Street and Cargo Way] Supervisor Maxwell

Ordinance amending the Traffic Code by amending Section 38.N to exempt from the prohibition on blocking bike lanes from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m., commercial vehicles that are actively loading or unloading on Illinois Street between 16th Street and Cargo Way.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

Resolutions

060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists] Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/31/06, CONTINUED. Continued to February 7, 2006

2/7/06, CONTINUED. Continued to February 28, 2006

2/28/06, CONTINUED. Continued to March 28, 2006

3/28/06, CONTINUED. Continued to May 2, 2006

5/2/06, ADOPTED.

5/2/06, REFERRED to City Operations and Neighborhood Services Committee.

060600 [Traffic Regulations] Supervisor Maxwell

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH (18 month trial)
Illinois Street, both directions, between 16th Street and Cargo Way;
Sixteenth Street, both directions, between 3rd Street and Illinois Street; and,
Cargo Way, both directions, between Illinois Street and Jennings Street

(4/25/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

060601 [Parking Regulations] Supervisor Maxwell

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING - RESCIND (18 month trial)
Illinois Street, east side, between 19th and 22nd Streets

BACK-IN ANGLED PARKING, 60 DEGREES - ESTABLISH (18 month trial)
Illinois Street, east side, between 18th Street and 132 feet south of Mariposa Street

BACK-IN ANGLED PARKING, 45 DEGREES - ESTABLISH (18 month trial)
Illinois Street, east side, between 20th and 22nd Streets

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Illinois Street, east side, between 25th and Marin Streets

PERPENDICULAR PARKING - ESTABLISH
22nd Street, both sides, between Illinois Street and 480 feet easterly;
Tennessee Street, east side, between 18th and 175 feet south of 22nd Street; and
24th Street, both sides, between 100 feet east and 450 feet east of Michigan Street.

(4/25/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

060602 [Reauthorization of the Ryan White CARE Act] Supervisors Ammiano, Dufty

Resolution affirming that the San Francisco Board of Supervisors endorses "The Consolidated Statement on Key Principles for Reauthorization of the Ryan White CARE Act as proposed by Health and Human Services (HHS)."

5/2/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060603 [Authorizing Application for BEGIN Funds] Supervisors Daly, Maxwell

Resolution authorizing the submittal of applications to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of one or more standard agreements if selected for such funding and any amendments thereto; the execution of one or more designation agreements if selected for such funding and any

amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060604 [Accept-Expend State Grant - Municipal Transportation/Department of Public Works] Supervisor Dufty

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Act (TDA) Article 3 funds totaling $907,651 for FY 2006-07 for various pedestrian and bicycle projects in the City and County of San Francisco.

5/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060605 [Supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006] Supervisors Ma, Peskin

Resolution supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060606 [Commending Northern California Public Broadcasting] Supervisor Ma

Resolution commending Northern California Public Broadcasting for its contributions to strengthen public broadcasting in the region.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060607 [Skin Cancer Screening] Supervisor Mirkarimi

Resolution commending University of California San Francisco Department of Dermatology and the American Academy of Dermatology for sponsoring May 6, 2006 free skin cancer screening at the U.C.S.F. Mount Zion campus.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060608 [Supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act"] Supervisor Sandoval

Resolution supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act."

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060609 [Preserve Civic Center Hotel] Supervisor Daly

Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to

seismically retrofit and preserve the Civic Center Hotel.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

060596 [Budget Analyst Audit of the Office of Emergency Services] Supervisor Peskin

Hearing to discuss the Budget Analyst Audit of the Office of Emergency Services.

5/2/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be calendared at the Budget and Finance meeting of 5/17/06.

060597 [Controller's Nine Month Report] Supervisor Daly

Hearing to consider the Controller's Nine Month Report.

5/2/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

060566 [Eliminating the Trial Courts Cash Revolving Fund]

Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund. (Controller)

4/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060567 [Settlement of Lawsuit - Eliana Martella]

Ordinance authorizing settlement of the lawsuit filed by Eliana Martella against the City and County of San Francisco for $175,000; the lawsuit was filed on July 22, 2004 in Superior Court, Case No. CGC-04433236; entitled Eliana Martella, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the reduction of the San Francisco General Hospital lien from $17,829.64 to $12,829.64. (City Attorney)

4/18/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060568 [Extension of One Year Tolling Agreement between Daly City and San Francisco] Supervisor Elsbernd

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

4/19/06, RECEIVED AND ASSIGNED to Rules Committee.

060569 [Settlement of Claim - Daly City] Supervisor Elsbernd

Resolution approving Settlement of Claim by City and County of San Francisco ("San Francisco") against the City of Daly City ("Daly City"). (City Attorney)

4/19/06, RECEIVED AND ASSIGNED to Rules Committee.

060574 [Lease of Real Property at 1380 Howard Street]

Resolution authorizing the renewal and expansion of a lease of 79,950 sq. ft. of space at 1380 Howard Street for the Department of Public Health. (Real Estate Department)

(Fiscal impact.)

4/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that directs the appropriate agencies to conduct a public safety and security audit of "safe haven" facilities that include, but not limited to City operated or contracted recreation and senior centers --audit survey could be determined by need as it pertains to communities impacted by crime.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from property at the following locations: 1213 Fillmore, 539-541 Waller, 600 Buchannan, and 554-560 Octavia.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from DPT signage at the following location: 722 Waller, Waller/Scott NW corner, 635 Waller, 630 Waller, 100 Pierce, and 539 Waller.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from DPT signage at the following locations: Steiner between Duboce and Waller, Fillmore between

Waller/Germania, 878 Grove, 820 Fillmore, 835 McAllister, 821 Grove, Haight/Buchannan NE corner, 535 Buchannan, 694 Grove, and 644 Laguna.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing DPT parking signs at the following locations: 486 Waller, 639 Grove, 620 Grove, and 801 Grove.

From: Supervisor Mirkarimi

To: Director, Department of Parking and

In Memoriams

Margaret L. Johnson - Supervisor Sandoval

Sergeant Darryl Tsujimoto - Entire Board

Dante White - Supervisor Mirkarimi

Fuad Kawas - Supervisor Dufty

Manuel George Dudum - Supervisor Ma

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:15 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 6, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
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翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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MEETING MINUTES

Tuesday, May 9, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

060256 [Sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to Redevelopment Agency for $1,500,000.00 and appropriating the sales proceeds — Supervisor Peskin

Ordinance approving the sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for $1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating $1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.

(Fiscal impact.)

Enacted Number: 93-06

FINALLY PASSED

060473 [Appropriating $148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission] — Mayor

Ordinance appropriating $148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06.

(Fiscal impact.)

Enacted Number: 89-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060291 [Liquor License Transfer, 86 Second Street]

Resolution determining that the transfer of a Type 47 on-sale general for bona fide public eating place license from 1695 Market Street to 86 Second Street, and the exchange of said license for a Type 48 on-sale general public premises license for M & M Group Assets, Inc. dba DaDa SF Studio, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 289-06
ADOPTED

060496 [Accept-Expend a grant from the Friends of the San Francisco Public Library] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to retroactively accept and expend a grant in the amount of $23,400 from the Friends of the San Francisco Public Library for a part-time, as-needed, editor for the publication, At the San Francisco Public Library.

Enacted Number: 295-06
ADOPTED

060498 [Grant to provide direct access to housing for chronic alcoholics] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $982,033 from the US Department of Housing and Urban Development (HUD) for direct access to housing for chronic alcoholics, to enter into an agreement for the use of these funds, and to add one (1.0) new position funded through this agreement; for the period of April 1, 2006, to March 31, 2008.

Enacted Number: 296-06
ADOPTED

Recommendation of the Government Audit and Oversight Committee

060368 [Fixing Compensation - Unrepresented Employees] Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

(Fiscal impact.)

Enacted Number: 100-06
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

051065 [Zoning Map Amendment for 425 Mason Street]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

Enacted Number: 96-06
FINALLY PASSED

Recommendations of the Rules Committee

051837 [Exceptions to the Ban on Compensated Advocacy] Supervisors Mirkarimi, Ammiano

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter. (Ethics Commission)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 97-06

FINALLY PASSED

051876 [Statements of Economic Interests for Candidates for City Elective Office] Supervisors Mirkarimi, Ammiano

Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy. (Ethics Commission)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 98-06

FINALLY PASSED

060463 [Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]

Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of $1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment. (City Attorney)

Enacted Number: 101-06

FINALLY PASSED

060529 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Nicholas Mueller, term ending April 27, 2008, to the Sunshine Ordinance Task Force.

Nicholas Mueller, succeeding himself, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Enacted Number: 297-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

060610 [Adopting findings related to disapproving the categorical exemption issued for the 869 North Point Street Project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 869 North Point Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-45

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Budget and Finance Committee

060393 [Prohibiting Smoking on Golf Courses] Supervisors McGoldrick, Ammiano

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi
Noes: 5 - Alioto-Pier, Elsbernd, Ma, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

060013 [Amending the Police Code to allow pawnbrokers to operate on Mondays following a holiday] Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Mondays following a holiday, and to make clerical corrections.

Question allowing pawnbrokers to operate on Sundays was divided and considered separately under File No. 060672.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick

060672 [Amending the Police Code to allow pawnbrokers to operate on Sundays]

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and to make clerical corrections.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Sandoval
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

From the Clerk

060347 [Transbay Redevelopment Project -Tax Increment Allocation and Sales Proceeds Pledge Supervisor Daly

Agreement and an Option Agreement]

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.

(Fiscal impact.)

Enacted Number: 99-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Called from the Land Use and Economic Development Committee

050182 [Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Enacted Number: 94-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Maps 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an

associated special use district with the Redevelopment Plan area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

Enacted Number: 95-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006] Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on May 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before June 14, 2006.

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

060443 **[Prohibition on condominium conversion for buildings where specified evictions occurred]** **Supervisors Peskin, Ammiano, Daly, Maxwell**

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

Supervisor Mirkarimi was previously excused from voting on this matter.

Supervisors Ammiano, Daly and Maxwell requested to be added as co-sponsors.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Ma
Excused: 1 - Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060476 [Cash Revolving Funds - Commission on the Environment] Mayor

Ordinance amending the Administrative Code by deleting Section 10.169-12.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060333 [IHSS Provider Benefits and Administration Contract Approval - San Francisco IHSS Public Authority]

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of Administration, health and dental benefits to IHSS Independent Providers for the period of July 1, 2006 to June 30, 2012, in the amount of $201,786,117.00 (Human Services Department)

(Fiscal impact.)

Enacted Number: 291-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060336 [Contract between the Department of Public Health and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services]

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and Toyon Associates, Inc. to provide regulatory reporting and reimbursement and revenue optimization services for the period of April 1, 2006 through March 31, 2010. (Public Health Department)

(Fiscal impact.)

Enacted Number: 292-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060337 [Contract between the Department of Public Health and Health Advocates, LLC to provide uncompensated care recovery services]

Resolution retroactively authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San

Francisco and Health Advocates, LLC to provide uncompensated care reimbursement recovery services. (Public Health Department)

Enacted Number: 293-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

060203 [Tunnel Avenue Weight Restrictions]

Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060162 [Amending the Traffic Code to establish a single consolidated list of weight-restricted streets] Supervisor Maxwell

Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166 through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street to the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060441 [Parking Regulations - Glen Park] Supervisor Dufty

Resolution enacting parking regulations at various locations.

PARKING METER AREA 3, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bosworth Street, north side, from Diamond Street to Lippard Street.

2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH Bosworth Street, north side, from Lippard Street to Elk Street.

(3/31/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 294-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

060354 [Approving General Plan amendments to South Bayshore Area Plan] Supervisor Maxwell

Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

060559 [Public Hearing - May 9, 2006 Amendments Redevelopment Plan - Bayview Hunters Point Redevelopment Project]

Hearing to consider amendments to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area presented by the Redevelopment Agency at the May 9, 2006 Board of Supervisors meeting.

The President inquired as to whether or not any member of the public wished to address the Board members.

Marcia Rosen, Executive Director, Redevelopment Agency, and Tom Evans,

Project Manger for Redevelopment Agency and John Lau, Planning Department reviewed the Bayview Hunters Point Redevelopment Plan with the Board members.

Leuren Moret; opposed to the Bayview Hunters Point Redevelopment Plan

Member, Bayview Hunters Point Project Area Committee (PAC); requested an amendment to include an election process in the committee membership

Roland Sheppard; Retired, Local 4 Painters Union; opposed to the Bayview Hunters Point Redevelopment Plan

Laura Travelling; support of the Bayview Hunters Point Redevelopment Plan

Charlie Walker; opposed to the Bayview Hunters Point Redevelopment Plan

Terri Baum; opposed to the Bayview Hunters Point Redevelopment Plan

Hope Young; support of the Bayview Hunters Point Redevelopment Plan

Mr. Campbell; opposed to the Bayview Hunters Point Redevelopment Plan

Terri; opposed to the Bayview Hunters Point Redevelopment Plan

Ellouise Patton; support of the Bayview Hunters Point Redevelopment Plan

Dr. Ashimia Porter Sumchai, M.D.; opposed to the Bayview Hunters Point Redevelopment Plan

Michael Lydon; opposed to the Bayview Hunters Point Redevelopment Plan

Doris Vincent; support of the Bayview Hunters Point Redevelopment Plan

Rondell Clayton; ensure to have low-include affordable housing and employment opportunities

Regina Davis; support of the Bayview Hunters Point Redevelopment Plan

Ed Donaldson; support of the Bayview Hunters Point Redevelopment Plan

Angelo King; support of the Bayview Hunters Point Redevelopment Plan

Oscar James; support of the Bayview Hunters Point Redevelopment Plan

K. Letman; expressed concern with issues relating to the Bayview Hunters

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

060343 [Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project] Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.) (4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued as amended to May 16, 2006

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell welcomed and introduced Vice Governor of Abijan, Samul Mobio.

Supervisor Maxwell welcomed, introduced and a presented a Certificate of Honor to Michele Byrnes, Director "HAY" in recognition of Foster Care Day.

SPECIAL ORDER 4:00 P.M.

060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from

environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060241 [Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060242 [Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060243 [Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

060593 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco] Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to homelessness

John di Donna; expressed concern with issues relating to the Muni

James Chaffee; expressed concern with issues relating to the Friends of the Library Foundation

Eugene Gordon, Jr. expressed concern with issues relating to human rights

Jim Adams; showed interest in a peace activist connection

Randall Evans; expressed concern with issues relating to the Redevelopment Agency, loss of wages and claims relating to the Sheeba Sheeba project

Ace Washington; expressed concern with issues relating to the Redevelopment Agency and prevailing wages

Richard McRee; expressed concern with issues relating to the possible framing of the Sigmond Stern Grove Stage

Deborah Doyle; expressed gratitude for supporting Proposition 81

MaryAnne Chadwell Taylor; expressed gratitude for supporting Proposition 81

Ms. Johnson; expressed concern with general issues

William Pender; expressed concern for new officers for PRO

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

060555 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and the following regulatory matters in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

Pacific Gas and Electric Company v. City and County of San Francisco; U.S. Bankruptcy Court, Northern District of California, Case No. 01-30923-DM; Adv. Proc. No. 04-3071, filed April 30, 2004;

City and County of San Francisco v. Pacific Gas and Electric Company, Federal Energy Regulatory Commission, Docket No. EL05-133-000, filed June 29, 2005;

Pacific Gas & Electric Company, Docket No. ER05-1190-000, Federal Energy Regulatory Commission, filed July 1, 2005. (City Attorney)

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CLOSED SESSION

The Board recessed at the hour of 6:23 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 6:28 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 10

Persons in attendance: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty was noted absent at 6:23 p.m.

Cheryl Adams, Deputy City Attorney

Ken Bruce, Budget Analyst's Office

Monique Zmuda, Controller's Office

Susan Leal, SFPUC

Barbara Hale, SFPUC

Theresa Mueller, Deputy City Attorney

Scott McDonald, SFPUC

Laura Spanjian, SFPUC

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

[Elect To Disclose] Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

From the Budget and Finance Committee Without Recommendation

060474 [Appropriating $3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E] Mayor

Ordinance appropriating $4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

(Fiscal impact.)

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Ordinance appropriating $3,187,130 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060605 [Supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006] Supervisors Ma, Peskin

Resolution supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.

Enacted Number: 298-06
ADOPTED

060606 [Commending Northern California Public Broadcasting] Supervisor Ma

Resolution commending Northern California Public Broadcasting for its contributions to strengthen public broadcasting in the region.

Enacted Number: 299-06
ADOPTED

060607 [Skin Cancer Screening] Supervisor Mirkarimi

Resolution commending University of California San Francisco Department of Dermatology and the American Academy of Dermatology for sponsoring May 6, 2006 free skin cancer screening at the U.C.S.F. Mount Zion campus.

Enacted Number: 300-06
ADOPTED

060608 [Supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act"] Supervisor Sandoval

Resolution supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act."

Enacted Number: 290-06
ADOPTED

060580 [Final Map for a 17 Unit Residential Condominium Project]

Motion approving Final Map of 1277 Howard Street and 776 Tehama Street, A Residential Condominium Project, being a subdivision of Lot 76 in Assessor's Block No. 3729, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,951; District 6.)

Enacted Number: M06-44

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

060609 [Preserve Civic Center Hotel] Supervisor Daly

Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to seismically retrofit and preserve the Civic Center Hotel.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060637 [Reenacting a Disadvantaged Business Enterprise Program] Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/9/06, ASSIGNED to Board of Supervisors.

060640 [Zoning Map Amendment] Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

5/9/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/8/2006.

060641 [Zoning -Three-Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses] Supervisor Ammiano

Urgency Ordinance approving a three-month extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

5/9/06, ASSIGNED to Board of Supervisors. To be considered on May 23, 2006 at 3:30 PM by the Board of Supervisors' convening as a Committee of the Whole.

060643 [Removing Arguello Boulevard and a portion of Conservatory Drive West in Golden Gate Park from the trial Saturday closure] Supervisor McGoldrick

Ordinance amending the Park Code by amending Section 6.12 to remove Arguello Boulevard and a portion of Conservatory Drive West in Golden Gate Park from the Saturday motor vehicle traffic closure and making environmental findings.

5/9/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060644 [Clarification Regarding Filing of a Declaration of Intention to Become a Candidate] Supervisor Peskin

Ordinance amending section 1.122 of the Campaign and Governmental Conduct Code to clarify that the prohibition on filing a declaration of intention to become a candidate for more than one City elective office applies only to offices being voted on at the same election.

5/9/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/8/2006.

060653 [Emergency contracts and appropriation to relocate the utility lines at San Francisco Crime Lab and prepare building program to relocate the forensic lab to a new location] Mayor

Ordinance approving award of emergency contracts and appropriating $820,000 for various consultant and construction services on an as-needed basis to relocate the sewer system at the San Francisco Crime Lab and prepare a building program to relocate the forensic lab to a new location.

(Fiscal impact.)

5/9/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060654 [Payroll Expense Tax Exclusion for Persons Who Hire the Disabled and the Indigent] Supervisor Alioto-Pier

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion retroactive to January 1, 2006 for persons who hire the disabled and the indigent, as specified.

(Fiscal impact) (Economic Impact)

5/9/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
05/15/06 - Referred to Small Business Commission for Review.

041005 [Pedestrian Protections] Supervisor Ma

Ordinance adding Sections 73, 73.1, 75, and 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; adding Sections 703.3, 703.4, and 703.5 to the San Francisco Public Works Code to require the Director of Public Works to install: (1) corner curb bulb-outs at the intersections of Dr. Carlton B. Goodlett Place with McAllister and Grove Streets, as permitted by state and local law, by June 30, 2007, and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City by June 30, 2014; and providing that the requirements and schedules for installation of certain devices and improvements shall be considered for inclusion in the San Francisco Pedestrian Master Plan and that funding may be sought through the Proposition K Expenditure Plan.

(03/21/06 in Board: Supervisor Ma submitted a substitute ordinance bearing new title. Fiscal impact.)

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

8/11/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/7/04, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

12/7/04, ASSIGNED to Land Use Committee.

12/9/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/10/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic as a courtesy.

12/15/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Interim Director of Planning) for environmental review.

12/17/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Environmental Review Officer) for environmental review.

12/20/04, RESPONSE RECEIVED. DPT responding that item is not under their purview.

12/20/04, TRANSFERRED to Finance and Audits Committee.

12/22/04, RESPONSE RECEIVED. Planning Department environmental review; categorically exempt.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

2/1/05, TRANSFERRED to Land Use Committee.

2/1/05, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

2/1/05, ASSIGNED to Land Use Committee.

3/9/05, TRANSFERRED to Budget and Finance Committee.

12/29/05, FILED PURSUANT TO RULE 5.37.

3/7/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Ma requested this matter be reactivated. 3/8/06 - Supervisor Mirkarimi requested to be added as co-sponsor.

3/7/06, ASSIGNED to Land Use and Economic Development Committee.

3/21/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

3/21/06, ASSIGNED to Land Use and Economic Development Committee.

3/28/06, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review. 04/13/06 - Categorically Exempt from CEQA.

4/14/06, TRANSFERRED to Budget and Finance Committee.

5/9/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Ma requested this matter be reactivated.

5/9/06, ASSIGNED to Budget and Finance Committee.

060107 [Child product safety] Supervisors Ma, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

2/6/06, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and recommendation.

3/7/06, RESPONSE RECEIVED. Voted unanimously to support draft ordinance.

5/2/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance

bearing new title, and approved as to form.

5/2/06, ASSIGNED to City Operations and Neighborhood Services Committee.

5/9/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

5/9/06, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from City Operations & Neighborhood Services Committee.

060266 [Japantown Special Use District] Supervisor Mirkarimi

Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna Street, and Fillmore Street, as defined herein, to require conditional use authorization and additional Planning Commission findings for specified uses, and to require specified posted and mailed notice; amending Planning Code Section 703.3 to require conditional use authorization for the establishment of formula retail uses in this District; amending the City's Zoning Map Sectional Map 2SU to reflect the boundaries of this District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

2/28/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2006.

3/3/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

3/10/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.

5/9/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

5/9/06, ASSIGNED to Land Use and Economic Development Committee.

5/10/06, RESPONSE RECEIVED. Substitute legislation is exempt from CEQA.

Resolutions

060609 [Preserve Civic Center Hotel] Supervisor Daly

Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to seismically retrofit and preserve the Civic Center Hotel.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/9/06, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

060639 [Grant of Local Funds - Municipal Transportation Agency] Mayor

Resolution authorizing the Municipal Transportation Agency to accept and expend $199,992 of Carl Moyer grant funds from the Bay Area Air Quality Management District to purchase and install new engines on 12 articulated motor coaches.

5/9/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor

requests this matter be heard as soon as possible.

060642 [Traffic Regulation - Closure of Jack Kerouac Alley to vehicular traffic] Supervisor Peskin

Resolution closing Jack Kerouac Alley (formerly known as Adler Street) between Grant Avenue and Columbus Avenue to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights vehicular access to Jack Kerouac Alley; and authorizing official acts in connection with the street closure.

5/9/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060650 [Amendment to Lease for Space at 11 Grove Street] Mayor

Resolution authorizing the Department of the Environment to enter into a third lease amendment for space at 11 Grove Street.

5/9/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060585 [Ten Year Capital Expenditure Plan] Supervisors Elsbernd, Peskin

Resolution adopting the City's initial ten year capital expenditure plan.

5/9/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060656 [Urging the San Francisco Unified School District Board meetings be televised on SFGTV Channel 26] Supervisors Ammiano, Alioto-Pier, Mirkarimi

Resolution urging the San Francisco Unified School District (SFUSD), the San Francisco Board of Supervisors, DTIS and the Mayor's Office collaborate to finalize a plan and the funding necessary to televise the SFUSD Board Meetings on SFGTV Channel 26.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060657 [Reauthorization of the Ryan White Care Act] Supervisors Ammiano, Dufty, Mirkarimi

Resolution affirming that the San Francisco Board of Supervisors endorses "The Consolidated Statement on Key Principles for Reauthorization of the Ryan White CARE Act as proposed by Health and Human Services (HHS)."

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060658 [Authorizing Application for BEGIN Funds] Supervisors Daly, Maxwell

Resolution authorizing the submittal of applications to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of one or more standard agreements if selected for such funding and any amendments thereto; the execution of one or more designation agreements if selected for such funding and any amendments thereto; the execution of any related documents necessary to

participate in the BEGIN Program.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060659 [Commending Marty Pulvers] Supervisor Elsbernd

Resolution commending Marty Pulvers on his contribution to the small business community of the City and County of San Francisco.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060662 [Declaring May 2006 Foster Care Month] Supervisor Maxwell

Resolution declaring May 2006 Foster Care Month and urges all community members to volunteer their talents and energies to honor children and youth in foster care and foster care alumni during this month and throughout the year.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060663 [Commending Seamus Heaney] Supervisors McGoldrick, Elsbernd

Resolution commending Seamus Heaney and declaring May 15, 2006 "Seamus Heaney Day" in San Francisco.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060664 [Urging the FDA to document their press release stating marijuana has no medical use] Supervisor Mirkarimi

Resolution urging the Food and Drug Administration to fully explain and support with scientific facts the agency's April 20, 2006 press release, which stated "no sound scientific studies supported medical use of marijuana for treatment in the United States, and no animal or human data supported the safety or efficacy of marijuana for general medical use."

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060665 [Designating Japantown as a Preserve America Neighborhood] Supervisor Mirkarimi

Resolution supporting the application for the designation of San Francisco's Japantown as a Preserve America Neighborhood.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060666 [Urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company] Supervisor Mirkarimi

Resolution urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060638 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

5/9/06, ASSIGNED. Board to sit as a Committee of the whole May 16, 2006 at 4 p.m.

060645 [Department of Building Inspection's Code Enforcement Outreach Program] Supervisor McGoldrick

Hearing on the Department of Building Inspection's Code Enforcement Outreach Program.

5/9/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060646 [High School Exit Exam] Supervisor Ma

Hearing to consider the performance of the San Francisco's students in the high school exit exam in light of a recent court ruling on the exam. The hearing will review the impacts of the exam on limited English learners and persons with learning disabilities, the issuance of diplomas to high school seniors who have yet to pass the exam, efforts at the state level to provide alternatives to the exam, funding implications of the exam and additional issues related to the exam.

5/9/06, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests this matter be referred to City and School District Select Committee.

060647 [San Francisco Unified School District] Supervisor Ma

Hearing to consider the budget of the San Francisco Unified School District and the contributions made by the City and County of San Francisco through Proposition H funds, in-kind support, General Fund, grants, and contracts. Specifically, this hearing is designed to determine the most appropriate and responsible ways for the City and County of San Francisco to provide support to the SFUSD. This hearing is also designed to review revenue projections to the school district over time.

5/9/06, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests this matter be referred to City and School District Select Committee.

060648 [JUSTIS - Justice Tracking System] Supervisor Ma

Hearing to review the implementation of JUSTIS, the Justice Tracking System, which is designed to make sharing information within the criminal justice community easier, more efficient and accurate, and will improve

reporting capability for all departments. The hearing will consist of presentations from affected City departments and members of the JUSTIS Governance Council.

5/9/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060651 [Hearing - Interim zoning moratorium for three months on new check cashing and payday lender uses]

Hearing to consider the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

5/9/06, ASSIGNED to Board of Supervisors. Pursuant to File 060641, Board to sit as a Committee of the Whole on May 23, 2006 at 3:30 p.m.

060652 [Hearing - Child Product Safety]

Hearing to consider the possible adoption of an Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date. (Clerk of the Board)

5/9/06, ASSIGNED to Board of Supervisors. Pursuant to File 060107, called from the City Operations and Neighborhood Service Committee, Board to sit as a Committee of the Whole on May 23, 2006 at 4 p.m.

Motions

060649 [Motion setting special off site meeting of the Select Committee on Ending Gun & Gang Violence] Supervisors Maxwell, Mirkarimi

Motion scheduling an off-site meeting of the Select Committee on Ending Gun & Gang Violence on Wednesday, June 7, 2006, 6:00 p.m., at the Ella Hill Hutch Community Center, 1050 McAllister Street, for the purpose of conducting a joint meeting session with San Francisco Police Commission in receiving community input regarding gun & gang violence in the City of San Francisco.

5/9/06, RECEIVED AND ASSIGNED to Rules Committee.

060655 [Committee of the Whole-May 23, 2006 - 3:30 p.m. Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses] Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on May 23, 2006, at 3:30 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of

an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060660 [Call from Committee-Child Product Safety, File Number 060107]

Motion to Call File Number 060107, Child Product Safety, from the City Operations and Neighborhood Services Committee and setting a Committee of the Whole for May 23, 2006 at 4:00 PM.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060661 [Emergency Disadvantaged Business Enterprise Program - May 16, 2006, Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on May 16, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/9/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

060557 [Settlement of Lawsuit - Linda Nussbaum]

Ordinance authorizing settlement of the lawsuit filed by Linda Nussbaum against the City and County of San Francisco for $170,000; the lawsuit was filed on January 7, 2004 in San Francisco Superior Court, Case No. 427-870; entitled Linda Nussbaum v. City and County of San Francisco, et al. (City Attorney)

4/26/06, RECEIVED AND ASSIGNED to Rules Committee.

060583 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2006, Fiscal Year ending June 30, 2007]

Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2006 for the fiscal year ending June 30, 2007. (Mayor)

(Fiscal impact.)

5/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060584 [Proposed Annual Salary Ordinance for Selected

Departments, Fiscal Year ending June 30, 2007]

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco: Airport, Board of Appeals, Health Service System, MTA, PORT, PUC, Rent and Retirement Board printed April 24, 2006, for the Fiscal Year ending June 30, 2007. (Mayor)

(Fiscal impact.)

5/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060628 [Board of Appeals Surcharges]

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from $56 to $26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from $17 to $10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from $10 to $3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from $9 to $3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from $11 to $13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from $11 to $13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from $17 to $10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from $10 to $3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from $9 to $3; (c) imposing a Board of Appeals surcharge of $26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16; and (d) imposing a Board of Appeals surcharge of $109.00 for medical cannabis dispensary permits issued by the Department of Public Health pursuant to Health Code Section 3007, and for annual license renewals associated with such permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code Section 249.20; and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the surcharges imposed by this ordinance and the adjustments to existing surcharges made by this ordinance are not "projects" and that all such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals relating to the aforementioned permits and licenses pursuant to Charter Section 4.106 and other applicable laws. (Mayor)

5/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 5/1/06 - Referred to Planning for environmental review. Fee ad placed for the meeting of May 24, 2006 05/12/06 - Response received from Planning - CEQA Exempt.

PROPOSED RESOLUTIONS

060564 **[Proposition J Contract/Certification of Specified Contracted-Out Services for Enterprise Departments Previously Approved]**

Resolution concurring with the Controller's certification previously approved under Proposition J that services can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee parking management, information booth, public parking management and shuttle bus services (Airport); paratransit and security services (MTA); citation information, janitorial and landscaping, coin counting and collection, security, and towing services (MTA Parking & Traffic); janitorial and security services (Port). (Mayor)

(Fiscal impact.)

5/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor requests this item be calendared at the May 24, 2006 meeting.

060565 **[Jurisdictional Transfer of Property, 525 Golden Gate]**

Resolution authorizing the jurisdictional transfer of City-owned property at 525 Golden Gate Avenue to the Public Utilities Commission in consideration of Nine Million Nine Hundred Thousand Dollars. (Mayor)

(Fiscal impact.)

5/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Mayor requests this item be calendared at the May 24, 2006 meeting.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: Director, City Planning

To: Director, Public Utilities Commission

To: Director, Department of the Environment

To: Director, Mayor's Office of Economic Development and Workforce Housing

Requesting/Inquiring: Requesting the above departments to report on:

1. Annual expenditures and volumed consumes of electricity, natural gas, and transportation fuels including gasoline, diesel, and bio-diesel.

2. Annual expenditures on road asphalt, and volumes used.

3. Sources of energy purchased, i.e. retail, bulk contract delivery, long term supply contract, utilities.

4. Energy expenditures percentage of total expenditures.

5. Current FY energy price escalator forecast by energy type and planning assumptions for out-years and sources for forecasted escalators.

6. Departmental contingency plans for energy supply interruptions.

7. Departmental vulnerability to unexpected energy price spikes.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing the Do Not Cross pedestrian signs, installing crosswalks, and removing Green Arrow Phases at the following intersections: Hayes & Gough, Gough & Fell, Franklin & Fell, and Oak & Franklin.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the safety status of the crosswalks at Fell and Masonic. We have had numerous complaints that pedestrians and cyclists experience "near misses" from traffic turning left onto Masonic from Fell. Please report on possible added signage or signal phasing to make the crosswalk

Ernest H. Dewson - Supervisor Mirkarimi

Nancy Colette - Supervisor Peskin

Karl Bartolome - Supervisor Sandoval

Rose Ann Reilly Hughes - Supervisors Ma, Elsbernd, Dufty, and Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:28 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 6, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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Board of Supervisors

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MEETING MINUTES

Tuesday, May 16, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was present at 2:09 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the April 11, 2006 and April 18, 2006 Board Meeting Minutes and Special Board of Supervisors Meeting of the April 12, 2006 Budget and Finance Committee.. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

AGENDA CHANGES

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board that the Clerk of the Board's Office was in receipt of a communication from the Mayor vetoing File No. 060250 legislation establishing Saturday closure of roads in Golden Gate Park.

The matter will be on the May 23, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060476 [Cash Revolving Funds - Commission on the Environment] Mayor

Ordinance amending the Administrative Code by deleting Section 10.169-12.

Enacted Number: 102-06

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060203 [Tunnel Avenue Weight Restrictions]

Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue. (Parking and Traffic Department)

Enacted Number: 105-06

FINALLY PASSED

060162 [Amending the Traffic Code to establish a single consolidated list of weight-restricted streets] Supervisor Maxwell

Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166

through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street to the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements. (Parking and Traffic Department)

Enacted Number: 104-06

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

060593 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco] Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

Enacted Number: 108-06

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

060354 [Approving General Plan amendments to South Bayshore Area Plan] Supervisor Maxwell

Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

Enacted Number: 106-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

060393 [Prohibiting Smoking on Golf Courses] Supervisors McGoldrick, Ammiano

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)

Enacted Number: 110-06
FINALLY PASSED by the following vote:
Ayes: 6 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi
Noes: 4 - Elsbernd, Ma, Peskin, Sandoval
Absent: 1 - Alioto-Pier

From the Budget and Finance Committee Without Recommendation

060474 [Appropriating $3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E] Mayor

Ordinance appropriating $3,187,130 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

Enacted Number: 107-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

060013 [Amending the Police Code to allow pawnbrokers to operate on Mondays following a holiday] Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Mondays following a holiday, and to make clerical corrections.

Enacted Number: 103-06

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, Sandoval

Noes: 4 - Ammiano, McGoldrick, Mirkarimi, Peskin

060672 [Amending the Police Code to allow pawnbrokers to operate on Sundays]

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and to make clerical corrections.

Enacted Number: 111-06

FINALLY PASSED by the following vote:

Ayes: 6 - Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, Sandoval
Noes: 5 - Ammiano, Dufty, McGoldrick, Mirkarimi, Peskin

060443 **[Prohibition on condominium conversion for buildings where specified evictions occurred]** Supervisors Peskin, Ammiano, Daly, Maxwell

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

Supervisor Mirkarimi was previously excused from voting on this matter.

Enacted Number: 112-06

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060334 **[Child Care Services Contract Approval - Children's Council of San Francisco]**

Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2006 to June 30, 2012, in the amount of $269,624,515. (Human Services Department)

(Fiscal impact.)

Enacted Number: 307-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060566 [Eliminating the Trial Courts Cash Revolving Fund]

Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

051519 [Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program] Mayor

Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

060224 [Requirement to provide minimum information for environmental evaluation application and initial study] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick was noted absent at 3:15 p.m.

Supervisor Daly was noted absent at 4:30 p.m.

060559 [Public Hearing - May 9, 2006 Amendments Redevelopment Plan - Bayview Hunters Point Redevelopment Project]

Hearing to consider amendments to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area presented by the Redevelopment Agency at the May 9, 2006 Board of Supervisors meeting.

The President inquired as to whether or not any member wished to address the Board members.

Francisco Da Costa; opposed to the amendments to the Bayview Hunters Point Redevelopment Plan

Dr. Ashimia Porter Sumchai, M.D.; opposed to the Bayview Hunters Point Redevelopment Plan

Doris Vincent; support of amendments to the Bayview Hunters Point Redevelopment Plan

Espanola Jackson; requested an audit be done on this project

Female speaker; support of amendments to the Bayview Hunters Point

Redevelopment Plan

Michael Hammond; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Michael Lydon; opposed to the Bayview Hunters Point Redevelopment Plan

Kevin Lettman; opposed to the Bayview Hunters Point Redevelopment Plan

Ulysses J. Montgomery; opposed to the amendments to the Bayview Hunters Point Redevelopment Plan

Jesse Winham; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Michael Strauss; opposed to the amendments to the Bayview Hunters Point Redevelopment Plan

Ed Donaldson; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Jocelyn; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Sam Thomas; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Patricia Norton; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Lauren Noret; opposed to the amendments to the Bayview Hunters Point Redevelopment Plan

Clarence Spears; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Franklin Lee Ross; support of the amendments to the Bayview Hunters Point Redevelopment Plan

Michelle; requested clarification of the 4th proposed amendment relating to the frequency of performance audits

Marcus; support of the amendments to the Bayview Hunters Point

HEARD AT PUBLIC HEARING.

Supervisors McGoldrick and Daly Were Excused

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to excuse Supervisors McGoldrick and Daly from the remainder of the meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor Maxwell, seconded by Supervisor Dufty, moved to adopt the San Francisco Redevelopment Agency's findings relating to the written objections and directing the Clerk of the Board to prepare findings.

Motion to adopt he San Francisco Redevelopment Agency's findings relating to the written objections and directing the Clerk of the Board to prepare findings carried without objection.

060343 **[Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]** **Supervisor Maxwell**

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.) (4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

Amended to insert a New Section: "to require performance audits to be done no less frequently than every three years."

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

PASSED ON FIRST READING AS AMENDED.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to Jimmy Hunter.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060638 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President of the Board inquired as to whether or not any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

060637 **[Reenacting a Disadvantaged Business Enterprise Program]** Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: 109-06

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

SPECIAL ORDER 4:00 P.M.

Supervisor Sandoval noted absent at 5:20 p.m.

060550 **[Public Hearing - Appeal of Final Environmental Impact Report for Sunol/Niles Dam Removal Project at Alameda County]**

Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2001.1149E, through its Motion 17217, for a proposed Sunol/Niles Dam Removal Project, located in unincorporated S.F.Public Utilities Commission property, Alameda County, at the Niles

Canyon Reach of Alameda Creek at River Mile 16.2 (Sunol Dam) and River Mile 12.8 (Niles Dam). (Appellant: Audrey A. Beaman, Deputy County Counsel, County of Alameda, California.)

(Date Filed: 4/26/06; companion measure to Files 060551, 060552, 060553.)

The President of the Board inquired as to whether or not any member of the public wished to address the Board members.

Counsel for Alameda County, Appellant

Paul Maltzer, Planning Department and Diane Sokolove, Planning Department reviewed the Planning Department's recommendation.

Rebuttal Period:

Appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

060551 **[Affirm certification of Sunol/Niles Dam Removal Project FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Sunol/Niles Dam Removal Project. (Clerk of the Board)

Enacted Number: M06-46

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Daly, McGoldrick

060552 **[Disapprove certification of Sunol/Niles Dam Removal Project FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Sunol/Niles Dam Removal Project. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this

Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Daly, McGoldrick

060553 [Preparation of findings to disapprove certification of Sunol/Niles Dam Removal Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Sunol/Niles Dam Removal FEIR. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Daly, McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with homeless issues

James Chaffee; expressed concern with issues relating to the San Francisco Public Library

Walter; showed interest in the Bay to Breakers

Eugene Gordon, Jr., expressed concern with issues relating to the violation of human rights

Jim Adams; showed interest in establishing a San Francisco Peace Commission

John Di Donna; showed interest in employment for African American men

Mr. Powell; expressed concern with the issuing of building permits

Male speaker; expressed concern with issues relating to evictions

Sharon Goginer; showed interest in the HIV Aids housing

Female speaker; showed interest with issues relating to housing

Joe Braverman; showed interest with an invention

Espanola Jackson: expressed concern with environmental issues at Bay View Hunter's Point

Nikki; showed interest in the housing alliance

Francisco da Costa; expressed concern environmental issues at Bay View Hunter's Point

Robert Haaland; showed interest and support of the proposed resolution relating to the Compton Cafeteria Riots Transgender Civil Rights Movement

Dr. Ashimia Porter Sumchai, M.D.; expressed concern with issues relating to the Office of Emergency Services

Martin Collins; showed interest and support of the proposed resolution relating to the Compton Cafeteria Riots Transgender Civil Rights Movement

Cecilia Chong; showed interest and support of the proposed resolution relating to the Compton Cafeteria Riots Transgender Civil Rights Movement

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Daly, McGoldrick, Sandoval

CLOSED SESSION

The Board recessed at the hour of 5:30 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 6:00 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 7

Persons in attendance: Supervisors Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Supervisors Alioto-Pier and Sandoval were excused.

Cheryl Adams, Deputy City Attorney

Monique Zmuda, Controller's Office

Phil Ginsburg, Director, Human Resources Department

Micki Callahan, Department of Human Resources

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclosed its Closed Session deliberations. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Daly, McGoldrick, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060661 **[Emergency Disadvantaged Business Enterprise Program - May 16, 2006, Committee of the Whole]** Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on May 16, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M06-47
APPROVED

060655 **[Committee of the Whole-May 23, 2006 - 3:30 p.m. Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]** Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on May 23, 2006, at 3:30 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

Enacted Number: M06-49
APPROVED

060656 **[Urging the San Francisco Unified School District Board meetings be televised on SFGTV Channel 26]** Supervisors Ammiano, Alioto-Pier, Mirkarimi

Resolution urging the San Francisco Unified School District (SFUSD), the San Francisco Board of Supervisors, DTIS and the Mayor's Office collaborate to finalize a plan and the funding necessary to televise the SFUSD Board Meetings on SFGTV Channel 26.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 308-06
ADOPTED

060657 **[Reauthorization of the Ryan White Care Act]** Supervisors Ammiano, Dufty, Mirkarimi

Resolution affirming that the San Francisco Board of Supervisors endorses "The Consolidated Statement on Key Principles for Reauthorization of the Ryan White CARE Act as proposed by Health and Human Services (HHS)."

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 306-06

ADOPTED

060658 [Authorizing Application for BEGIN Funds] Supervisors Daly, Maxwell

Resolution authorizing the submittal of applications to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of one or more standard agreements if selected for such funding and any amendments thereto; the execution of one or more designation agreements if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

Enacted Number: 305-06

ADOPTED

060659 [Commending Marty Pulvers] Supervisor Elsbernd

Resolution commending Marty Pulvers on his contribution to the small business community of the City and County of San Francisco.

Enacted Number: 304-06

ADOPTED

060662 [Declaring May 2006 Foster Care Month] Supervisor Maxwell

Resolution declaring May 2006 Foster Care Month and urges all community members to volunteer their talents and energies to honor children and youth in foster care and foster care alumni during this month and throughout the year.

Enacted Number: 303-06

ADOPTED

060664 [Urging the FDA to document their press release stating marijuana has no medical use] Supervisor Mirkarimi

Resolution urging the Food and Drug Administration to fully explain and support with scientific facts the agency's April 20, 2006 press release, which stated "no sound scientific studies supported medical use of marijuana for treatment in the United States, and no animal or human data supported the safety or efficacy of marijuana for general medical use."

Enacted Number: 309-06
ADOPTED

060665 **[Designating Japantown as a Preserve America Neighborhood]** Supervisor Mirkarimi

Resolution supporting the application for the designation of San Francisco's Japantown as a Preserve America Neighborhood.

Enacted Number: 301-06
ADOPTED

060666 **[Urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company]** Supervisor Mirkarimi

Resolution urging the U.S. Attorney General and the California Attorney General to consider the antitrust implications of the proposed acquisition of Knight Ridder Inc. by the McClatchy Company.

Enacted Number: 311-06
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered.

060663 **[Commending Seamus Heaney]** Supervisors McGoldrick, Elsbernd

Resolution commending Seamus Heaney and declaring May 15, 2006 "Seamus Heaney Day" in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick requested that this matter be severed so that it might be considered.

060660 **[Call from Committee-Child Product Safety, File Number 060107]**

Motion to Call File Number 060107, Child Product Safety, from the City Operations and Neighborhood Services Committee and setting a Committee of the Whole for May 23, 2006 at 4:00 PM.

Enacted Number: M06-48

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 2 - McGoldrick, Peskin

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Dufty, moved moved the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell,

Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved moved the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

060675 **[Commemorating the Gene Compton's Cafeteria Riot of 1966]** Supervisors Daly, Ammiano, Dufty, Mirkarimi

Resolution recognizing the 1966 Gene Compton's Cafeteria Riot as a significant event in the history of San Francisco and the Lesbian, Gay, Bisexual, and Transgender Civil Rights Movement.

Enacted Number: 310-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

060033 **[Prohibiting Political Contributions from Corporations to Candidates for City Elective Office]** Supervisors Peskin, Mirkarimi, Ammiano

Ordinance amending section 1.114 of the San Francisco Campaign and Governmental Conduct Code to prohibit corporations from making campaign contributions to candidates for City elective office.

1/10/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/9/2006.

1/18/06, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

5/9/06, RESPONSE RECEIVED. On 5/8/06, Ethics Commission approved

proposed ordinance 4-0 with minor clerical amendments.

5/16/06, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

5/16/06, ASSIGNED to Rules Committee.

060217 [Reporting Sources of Gifts of Travel] Supervisors Sandoval, Ammiano, Mirkarimi

Ordinance amending Article III, Chapter 2 of the San Francisco Campaign and Governmental Conduct Code, by amending section 3.216 to impose reporting requirements for gifts of travel to elected officials.

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/16/2006.

5/9/06, RESPONSE RECEIVED. On 5/8/06, the Ethics Commission approved proposed ordinance with amendments by a vote of 4-0.

5/16/06, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

5/16/06, ASSIGNED to Rules Committee.

060469 [Appropriating $2,740,000 to fund overtime deficit at the Police Department for Fiscal Year 2005-2006.]] Supervisor Ma

Ordinance appropriating $2,844,202 to the Police Department to fund overtime deficit for Fiscal Year 2005-2006.

(Fiscal Impact)

5/16/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

5/16/06, ASSIGNED to Budget and Finance Committee.

060674 [Condominium conversion with senior, disabled, or catastrophically ill tenant purchase] Supervisor Dufty

Ordinance amending the Subdivision Code to add Section 1396.3 to allow condominium conversion for buildings of six (6) or fewer units with senior, disabled, or catastrophically ill tenant purchase of a unit, as provided herein, and making environmental findings.

5/16/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/15/2006.

Resolutions

060681 **[Klamath River Salmon]** Supervisor Ma

Resolution in support of federal funding to restore Klamath River Salmon disaster relief for California's salmon fishery industry.

5/16/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060682 **[Child Abuse Prevention]** Supervisors Ma, Dufty

Resolution approving the Three-Year County Plan for the Child Abuse Prevention, Intervention and Treatment program (CAPIT), Community Based Child Abuse Prevention program (CBCAP), and Promoting Safe and Stable Families program (PSSF), and establishing the San Francisco Child Abuse Council as San Francisco's child abuse prevention multidisciplinary coordinating body.

5/16/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060683 **[2006 Water Revenue Refunding Bonds Issuance]** Mayor

Resolution approving the issuance of not to exceed $50,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters.

5/16/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060685 **[Declaring May 16, 2006 Lonnie Butler Day]** Supervisor Maxwell

Resolution declaring that Lonnie Butler is an honorary citizen and that May 16, 2006 is Lonnie Butler Day in the City and County of San Francisco.

5/16/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060686 **[Public Works Week - May 22 - 26, 2006]** Supervisors Peskin, Dufty

Resolution proclaiming May 22 through May 26, 2006 as Public Works Week in San Francisco.

5/16/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060687 [Supporting Proposition 82, the Preschool for All Initiative] Supervisor Peskin

Resolution expressing support for California State Proposition 82, the Preschool for All Initiative.

5/16/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060688 [Urging President George W. Bush not to deploy the National Guard along the United States-Mexico border] Supervisors Sandoval, Mirkarimi, Ammiano

Resolution urging President George W. Bush not to deploy the National Guard along the United States-Mexico border.

5/16/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

060684 [Adopting findings related to the Bayview Hunters Point Redevelopment Plan] Supervisor Maxwell

Motion adopting findings in response to written objections to adoption of the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Plan, pursuant to the requirements of redevelopment law.

5/16/06, ASSIGNED to Board of Supervisors.

Requests for Hearing

060676 [Update from SFPD and Office of Citizen Complaints on efforts to reform police] Supervisors Maxwell, Ammiano, Mirkarimi

Hearing before the joint meeting of Select Committee on Ending Gun & Gang Violence and Police Commission on the following topics: 1) Police Chief's report; 2) Office of Citizen Complaints' report.

5/16/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this matter be heard at the June 7, 2006 meeting.

060677 [AIDS housing money] Supervisors Dufty, Ammiano

Hearing to examine the loss of funding for housing for "People with AIDS" (PWA) specifically with regard to the loss of HOPWA, Ryan White CARE and San Francisco General Fund money. The hearing will review impacts of the loss of funding for PWA's and will ask relevant City Departments and Community Stakeholders to explore new strategies to ensure that AIDS housing money is provided.

5/16/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060678 [Proposed move of Newcomer High School to Mission High School Campus] Supervisors Alioto-Pier, Dufty

Hearing to understand the San Francisco Unified School District's plan for moving Newcomer High School to Mission High School. Questions to address include: (1) How would the move of 400 students from Newcomer impact Mission's renovation plans/schedule and cost? (2) How does the SFUSD plan to integrate the two separate student bodies? How will the Mission and Newcomer staff address safety issue associated with merging high schools? (3) Was the S.F. Police Department consulted regarding the move? (4) Was MUNI consulted regarding the move? (5) How does adding Newcomer to the Mission campus enhance Mission's community building efforts? How does moving Newcomer to Mission enhance Newcomer's educational objectives? (6) How will the schools coordinate logistics including bells and lunchtime? (7) What are the costs associated with setting up Newcomer at Mission including a phone system for Newcomer, computer system for Newcomer? Will the systems be independent? Who will pay for the costs? (8) How will the arrival of Newcomer impact the existing English language transition programs at Mission?.

5/16/06, RECEIVED AND ASSIGNED to City and School District Select Committee.

060679 [150 Otis Street Homeless Housing] Supervisor Mirkarimi

Hearing to obtain a status update on the establishment of permanent homeless housing at 150 Otis Street.

5/16/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this matter be heard before the Land Use and Economic Development Committee

060680 [Public Health Nurses classification (2830)] Supervisor McGoldrick

Hearing to review the status of restorations for the Public Health Nurses classification (2830), to understand the requisitions process for this classification, and to clarify any efforts underway to fill current vacancies.

5/16/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Charter Amendment

060673 [Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to respond to questions posed to him or her by members] Supervisor Daly

Charter amendment (First Draft) to amend Section 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to respond to questions posed to him or her by members of the Board.

5/16/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/15/2006. (5/25/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst.)

PROPOSED ORDINANCES

060611 [Settlement of Lawsuit - ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against PS Trading for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

5/4/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060615 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
South Van Ness Avenue, east side, from 92 to 122 feet south of Market Street.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, south side, from Grant Avenue to 130 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Ellsworth Street, both sides, between 70 and 100 feet south of the south property line of 755 Ellsworth Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
Sanchez Street, east side, from 17th Street to 91 feet northerly.

2-HOUR TIME-LIMIT, 7 AM TO 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH
Kansas Street, both sides, between 15th and 16th Streets (200 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Oak Street, south side, from Octavia Boulevard to 56 feet westerly (existing conditions).

RED (NO PARKING ANYTIME) ZONES - ESTABLISH
Hampshire Street, west side, from 26th Street to 15 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2718 Bryant Street, west side, between the driveways for #2718 - 2722 and 2724 - 2726 Bryant Street, (12-foot section of curb between the driveways for these addresses, accommodating two motorcycle parking spaces).

NO PARKING ANYTIME - EXTEND
Ocean Avenue, south side, from 100 feet to 142 feet west of San Leandro Way (extends the "No Parking Anytime" regulation by 42 feet, eliminating parking meter # 591-24130). (Parking and Traffic Department)

(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060616 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Park Hill at Roosevelt Way, stopping Park Hill;
Laguna and Waller Streets, stopping Waller Street;
Second Street extension at King Street, stopping the northbound leg of Second Street at King Street;
26th and Hampshire Streets, stopping eastbound 26th Street, making this intersection a one-way STOP;

McKinnon Avenue and Lane Street, stopping eastbound McKinnon Avenue and northbound and southbound Lane Street, making this intersection an All-Way STOP;
22nd and Mississippi Streets, stopping southbound Mississippi Street; and, 19th and Pennsylvania Streets, stopping Pennsylvania at 19th Street, making this an All-Way STOP. (Parking and Traffic Department)

(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060617 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (WESTBOUND) - ESTABLISH
Cleveland Street, between Sherman and 7th Streets

NO LEFT TURN OR NO U-TURNS - ESTABLISH
Cesar Chavez Street, westbound traffic at South Van Ness Avenue

ONE-WAY STREET (NORTHBOUND) - ESTABLISH
Ellsworth Street, from Crescent Avenue to a point approximately 890 feet southerly (extends the existing one-way regulation by 160 feet southerly)

STREET CLOSURE EXCEPT DURING SCHOOL SUMMER RECESS - ESTABLISH
Sherman Street, from Cleveland Street to 100 feet north of Harrison Street (250 feet). (City Attorney)

(5/4/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3178).

5/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060618 [Official Advertising - Type 1 consecutive day official advertising]

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2006 and ending June 30, 2007. (Purchaser)

5/5/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060619 [Official Advertising - Type 2 non-consecutive

day official advertising]

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2006 and ending June 30, 2007. (Purchaser)

5/5/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060626 [Outreach Advertising - Outreach newspapers]

Resolution designating El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African
American community; and, the San Francisco Bay Times to be the outreach newspaper of the City and County of San Francisco for the Lesbian Gay Bisexual Transgender community, to provide outreach advertising services for the fiscal year commencing July 1, 2006 and ending June 30, 2007.

5/5/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquiring into possible measures to slow vehicular traffic on Skyview Way.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the repair of a hanging "No Left Turn" sign at the SE corner of Webster and Geary.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newspaper vending boxes at the following locations: Corner Fillmore and Haight, Corner Webster and Haight, and Fillmore and Geary.

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti from utility poles at the following locations: 445 Fillmore, 500 Block of Haight Street, and 400 Block of Haight.

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Parks

Requesting/Inquiring: Requesting the Department of Recreation and Parks to report on the status of removing graffiti at the following locations: from park walls at Hayes Valley Playground and Maintenance shed at South end of Hayes Green.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from property at the following locations: Steiner at Oak - SW corner and Pierce and Page - SE corner.

In Memoriams

Marcel Laiwa - Supervisor Dufty

Joseph L. Weber - Supervisor Dufty

Helen Cooke Jones - Supervisor Mirkarimi

Yao Nan Xin - Supervisor Peskin

Edwin S. Nakamoura - Supervisor Maxwell

Dr. Martha Barnes Baylor - Supervisor Maxwell

Marlin Coats - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:05 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 20, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

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請電 (415) 554-7701

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, May 23, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier, McGoldrick and Sandoval were noted absent.

There was a quorum.

Supervisors Sandoval and Alioto-Pier were noted present at 2:06 p.m

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

060566 **[Eliminating the Trial Courts Cash Revolving Fund]**

Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund. (Controller)

Enacted Number: 117-06

FINALLY PASSED

060497 **[Accept-Expend Bequest of Harvey V. Berneking Living Trust]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of up to $500,000 from the Harvey V. Berneking Living Trust for public service improvements at the Main Library.

Enacted Number: 314-06
ADOPTED

Recommendation of the Government Audit and Oversight Committee

051519 **[Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program]** Mayor

Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.

(Fiscal impact.)

Enacted Number: 114-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060499 **[Stop signs - Chenery Street at Fairmount Street]** Supervisor Dufty

Resolution designating the intersection of Chenery Street at Fairmount Street as a "STOP" intersection.

(4/24/06: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 317-06
ADOPTED

060540 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Elizabeth and Noe Streets, stopping Noe Street at Elizabeth Street, making this intersection an All-Way STOP.

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 320-06
ADOPTED

060541 [Parking Regulations] Supervisor Dufty

Resolution enacting and rescinding parking regulations at various locations.

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 10 AM, DAILY - ESTABLISH
"297" Duncan Street, south side, from 18 feet to 57 feet, east of Church Street (39-foot zone)

GREEN ZONE (10 MINUTE TIME LIMIT), 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 7 PM, DAILY - ESTABLISH
"299" Duncan Street, south side, from Church Street to 18 feet easterly (18-foot zone)

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 321-06
ADOPTED

060604 [Accept-Expend State Grant - Municipal Supervisor Dufty

Transportation/Department of Public Works]

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Act (TDA) Article 3 funds totaling $907,651 for FY 2006-07 for various pedestrian and bicycle projects in the City and County of San Francisco.

Enacted Number: 312-06

ADOPTED

Recommendations of the Rules Committee

060224 [Requirement to provide minimum information for environmental evaluation application and initial study] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

Enacted Number: 116-06

FINALLY PASSED

060407 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Bonnie D'Amico, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Bonnie D'Amico, succeeding Frank McGrath, resigned, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Enacted Number: 315-06

ADOPTED

060636 [Appointment - Power Plant Task Force]

Resolution appointing Philip De Andrade, Karen Pierce, Richard Millet, L. Joseph Boss, Steven Moss, and Al Collins, terms ending November 1, 2006, to the Power Plant Task Force.

Philip De Andrade, succeeding himself, term expired, seat 1, must be a resident of the Mission Bay area, for the unexpired portion of a one-year term ending November 1, 2006. Karen Pierce, succeeding herself, term expired, seat 2, must be a resident of the Bayview Hunters Point area, for the unexpired portion of a one-year term ending November 1, 2006. Richard Millet, succeeding himself, term expired, seat 3, must be a resident of the Potrero Hill area, for the unexpired portion of a one-year term ending November 1, 2006. L. Joseph Boss, succeeding himself, term expired, seat 4, must be a resident of the Central Waterfront area, for the unexpired portion of a one-year term ending November 1, 2006. Steven Moss, succeeding himself, term expired, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006. Al Collins, succeeding Dana Lanza, term expired, seat 9, must be the executive director of Literacy for Environmental Justice or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006.

Enacted Number: 313-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 3 - Alioto-Pier, McGoldrick, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months] **Supervisors McGoldrick, Mirkarimi, Peskin,**

beginning approximately on Memorial Day Weekend 2006] Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on May 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before June 14, 2006.

Consideration of the Mayor's Veto.

Motion to override the Mayor's veto failed by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

From the Board

060684 [Adopting findings related to the Bayview Hunters Point Redevelopment Plan] Supervisor Maxwell

Motion adopting findings in response to written objections to adoption of the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Plan, pursuant to the requirements of redevelopment law.

Enacted Number: M06-51

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Peskin
Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

060343 **[Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]** Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.) (4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

Enacted Number: 113-06

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060475 **[Public Employment - Mayor's Office of Economic and Workforce Development]** Mayor

Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060495 **[Grant of Federal Funds - Municipal Transportation Authority]** Supervisor Ma

Resolution authorizing the Municipal Transportation Agency to accept and expend $2,851,800 of Transit Security Grant Program funds to create a sustainable effort for the protection of regional transit systems critical infrastructure from terrorism, excluding administrative overhead costs.

Enacted Number: 316-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

060708 **[Paratransit Reimbursement - Taxi Meter Rates]** Supervisor Alioto-Pier

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to June 30, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060479 **[Zoning Map Amendment, 645 Howard Street]** Supervisor Daly

Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located at Block 3735, Lot 047, to change the height and bulk district classification from 150-S to 250-S; adopting findings

pursuant to the California Environmental Quality Act; and adopting findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060480 [General Plan Amendment, 645 Howard Street] Supervisor Daly

Ordinance amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan of the General Plan of the City and County of San Francisco to change the height and bulk district classification of the property located at Block 3735, Lot 047 from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060142 [Public Works Code - sidewalk landscape permits] Mayor, Supervisor Alioto-Pier

Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248] Supervisor Peskin

Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Supervisor Daly was previously excused from voting on this matter.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Select Committee on Ending Gun and Gang Violence

060086 **[Providing for public notice of installation of community safety cameras.]** Supervisors Mirkarimi, Ammiano, Maxwell, Elsbernd

Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.

Amended on page 1, line 23 after "monitoring systems" by inserting "traffic reporting cameras".

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to June 6, 2006

Supervisor Elsbernd requested to be added as a co-sponsor.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

060386 [55-year Seismic Safety Retrofit Loan Program Loans] Supervisors Dufty, Mirkarimi, Ammiano

Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 2:59 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:35 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval - 8

Supervisors McGoldrick and Dufty were noted present at 3:38 p.m.

Supervisor Daly was noted present at 3:40 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to the Director, Department of Public Works in recognition of Department of Public Works Week.

Supervisors Dufty, Ma, Mirkarimi, Ammiano, McGoldrick, Alioto-Pier expressed gratitude to the staff of Department of Public Works.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Gwynn Strain, founder of Families in Need.

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to the Director of the Exploratorium.

SPECIAL ORDER 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick noted absent at 3:55 p.m.

060651 [Hearing - Interim zoning moratorium for three months on new check cashing and payday lender uses]

Hearing to consider the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Female speaker

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

060641 [Zoning -Three-Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses] Supervisor Ammiano

Urgency Ordinance approving a three-month extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Enacted Number: 115-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

SPECIAL ORDER 4:00 P.M.

CALLED FROM COMMITTEE

Supervisor Sandoval noted absent at 4:03 p.m.

060652 [Hearing - Child Product Safety]

Hearing to consider the possible adoption of an Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

060107 [Child product safety] Supervisors Ma, Maxwell, Alioto-Pier, McGoldrick, Sandoval, Daly

Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

SPECIAL ORDER 4:00 P.M.

060490 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for **2477-2479 Sutter Street**]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 6, 2006 (Case No. 2005.0402E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15331], the proposed project at 2477-2479 Sutter Street. The proposal would convert an existing two-unit residential structure with ground-floor retail into a three-unit structure with three parking spaces by adding a 2,590-square foot horizontal and vertical addition and converting the retail space into a garage.

The project site is located at 2477-2479 Sutter Street (Assessor's Block 1076, Lot 022), The project is within the RM-1 (Mixed, Low Density) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams.)

(Companion measure to Files 060491, 060492, 060493; District 5.)

The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060491 **[Affirming the categorical exemption issued for the 2477-2479 Sutter Street project]**

Motion affirming the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M06-50

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060492 **[Disapproving the categorical exemption issued for 2477-2479 Sutter Street]**

Motion disapproving the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060493 **[Preparation of findings related to the 2477-2479 Sutter Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2477-2479 Sutter Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

TABLED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recess

The Board recessed at the hour of 4:10 p.m.

Reconvening of the Board

The Board reconvened at the hour of 5:31p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 6

Supervisors Dufty and McGoldrick were noted present at 5:32 p.m.

Supervisor Daly was noted present at 5:34 p.m.

Supervisor Alioto-Pier was noted present at 6:00 p.m.

SPECIAL ORDER 4:30 P.M.

Supervisor Alioto-Pier was noted absent at 5:31 p.m.

060570 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 828 Francisco Street, Planning Case No. 2005.0493E]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 6, 2006, exempting from environmental review under Categorical Exemption: State CEQA Guidelines, Section(s) 15301(e)(1), the proposed project involving alterations to an existing, three-story-over basement, 6,923-square foot residence. The proposed alterations would: 1) add a dormer window on the eastern portion of the front fa‡ade (south side) at the third floor (attic level); 2) raise the height of, and enlarge, the existing dormer at the rear of the property (north side), so as to be habitable space as defined by the Building Code; 3) add new stairs from the existing first-story deck to the back yard; 4) add penetrations to the existing wall to add new windows at the second story at the rear; 5) add four new penetrations for four new windows and close up an existing window on the east fa‡ade; and 6) add three new penetrations for three new windows and close up three existing windows on the west fa‡ade. As

considered by the Planning Department, the proposed alterations constitute alteration, façade alterations and horizontal extensions at the front, side and rear of the structure. The project would also resurface the roof at the second floor northeast corner for use as a deck and re-roof the existing asbestos shingle roof.

The proposed addition and construction would be minor additions to the existing building envelope. They would result in no net change in the square footage of the existing structure, as measured by the Planning Code. The approximately 18,734-square foot project site is located at 828 Francisco Street (Assessor's Block 0045, Lot 003), about 40 feet west of Leavenworth Street, in the block bounded by Leavenworth, Francisco, Hyde and Bay Streets, in the City's Russian Hill Neighborhood. The site has an approximately 136.5-foot lot dimension on Francisco Street, the only street frontage. The site is within an RH-1 (D) Residential, One-Family (Detached Dwellings) Use District and a 40-X Height and Bulk District. (Appellant: Angela Schroeder).

(Filed April 19, 2006; Companion measure to Files 060570, 060571, 060572, 060573; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060571 **[Affirming the categorical exemption issued for the project at 828 Francisco Street]**

Motion affirming the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted M06-53

Number:

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

060572 [Disapproving the categorical exemption issued for the project at 828 Francisco Street]

Motion disapproving the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

060573 [Preparation of findings related to the project at 828 Francisco Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 828 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

SPECIAL ORDER 5:00 P.M.

060560 [Public Hearing - Appeal of Final Environmental Review for 3575 Geary Boulevard Project, Planning File No. 2003.0410E]

Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0410E, through its Motion 17218, the proposed project located at 3575 Geary Boulevard, Assessor's Block 1083, Lot 2, and Assessor's Block 1084, Lot 4. (Appellant: Brian Gaffney, Law Offices of Brian Gaffney).

(Filed April 26, 2006; companion measure to Files 060561, 060562, 060563; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board.

Brian Gaffney, Attorney for the appellant

Harry Benke; support of appellant

William Goodson; support of appellant

Zack Tolson; support of appellant

Gabie Berliner; support of appellant

Greg Hylton; support of appellant

Mark Fighgra; support of appellant

Rocky Papale; support of appellant

G. Yang; support of appellant

Laura Rosenthal; support of appellant

Wendy Miller; support of appellant

Female speaker; support of appellant

Amanda Soo; support of appellant

Tom Ross; support of appellant

Bob Lee; support of appellant

Bradley Wiedmaier; support of appellant

Trey MacPhee; support of appellant

Female speaker; support of appellant

Kurt; support of appellant

Rozanne Junker; support of appellant

Ruth Tepper; support of appellant

Paula Romanovsky; support of appellant

Reth Warner; support of appellant

Libby Benedict; support of appellant

Vera Poon; support of appellant

Larry Badiner, Zoning Administrator and Bill Wycko, Planning Department Representative, reviewed with the Board the Planning Department's recommendation.

Institution on Aging, project sponsor

Bridge Point Housing; project sponsor

Architect; support of project sponsor

Ms. Einstein; support of project sponsor

Geraldine Gillette Earp; support of project sponsor

Marianne Duke; support of project sponsor

Ron Miguel; support of project sponsor

Peter Winkelstein; support of project sponsor

Virgina Jordan; support of project sponsor

Erwin Gibbs; support of project sponsor

Betty Anginvine; support of project sponsor

Jean Lynch; support of project sponsor

Female speaker; support of project sponsor

Chuck Lemere; support of project sponsor

Flora Tanta; support of project sponsor

Ken Donnollly, IOA; support of

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060561 [Affirm certification of 3575 Geary Boulevard Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project. (Clerk of the Board)

Enacted Number: M06-54

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Alioto-Pier
Absent: 1 - Sandoval

060562 [Disapprove certification of 3575 Geary Boulevard Project FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 3575 Geary Boulevard Project. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Alioto-Pier
Absent: 1 - Sandoval

060563 [Preparation of findings to disapprove certification of 3575 Geary Boulevard Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project FEIR. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Alioto-Pier
Absent: 1 - Sandoval

SPECIAL ORDER 5:30 P.M.

060620 **[Public Hearing - Conditional Use Appeal for 3575 Geary Boulevard Project, Planning File No. 2003.0410CEK!]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17219 dated April 6, 2006, approving Conditional Use Application No. 2003.0410CEK!. The approval relates to a conditional use authorization under Planning Code Sections 121.1 and 712.11 to allow lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152).

The site is currently occupied by the now closed single-screen Coronet Theater in an NC-3 (Moderate-scale Neighborhood Commercial) District, and an 80-A Height and Bulk District, located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084. (Appellant: Libby Benedict, on behalf of Jordan Park Improvement Association and Francisco Heights Neighborhood Association).

(Filed May 4, 2006; companion measure to Files 060621, 060622, 060623; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board.

Brian Gaffney, Attorney for the appellant

Harry Benke; support of appellant

William Goodson; support of appellant

Zack Tolson; support of appellant

Gabie Berliner; support of appellant

Greg Hylton; support of appellant

Mark Fighgra; support of appellant

Rocky Papale; support of appellant

G. Yang; support of appellant

Lauara Rosenthal; support of appellant

Wendy Miller; support of appellant

Female speaker; support of appellant

Amanda Soo; support of appellant

Tom Ross; support of appellant

Bob Lee; support of appellant

Bradley Wiedmaier; support of appellant

Trey MacPhee; support of appellant

Female speaker; support of appellant

Kurt; support of appellant

Rozanne Junker; support of appellant

Ruth Tepper; support of appellant

Paula Romanovsky; support of appellant

Reth Warner; support of appellant

Libby Benedict; support of appellant

Vera Poon; support of appellant

Larry Badiner, Zoning Administrator and Bill Wycko, Planning Department Representative, reviewed with the Board the Planning Department's recommendation.

Institution on Aging, project sponsor

Bridge Point Housing; support of project sponsor

Architect; support of project sponsor

Ms. Einstein; support of project sponsor

Geraldine Gillette Earp; support of project sponsor

Marianne Duke; support of project sponsor

Ron Miguel; support of project sponsor

Peter Winkelstein; support of project sponsor

Virgina Jordan; support of project sponsor

Erwin Gibbs; support of project sponsor

Betty Anginvine; support of project sponsor

Jean Lynch; support of project sponsor

Female speaker; support of project sponsor

Chuck Lemere; support of project sponsor

Flora Tanta; support of project sponsor

Ken

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060621 [Approving Planning Commission decision related to Conditional Use Appeal for 3575 Geary Boulevard]

Motion approving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Ma, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060622 [Zoning Appeal - 3575 Geary Boulevard.]

Motion disapproving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater. (Clerk of the Board)

Enacted Number: M06-55

Supervisor Ma, seconded by Supervisor McGoldrick, moved that this Motion be **APPROVED AS AMENDED.** The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060623 **[Preparation of findings related to the Conditional Use Appeal for 3575 Geary Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Ma, seconded by Supervisor McGoldrick, moved that this Motion be **TABLED.** The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

COMMITTEE REPORTS

060649 **[Motion setting special off site meeting of the Select Committee on Ending Gun & Gang Violence]** Supervisors Maxwell, Mirkarimi

Motion scheduling an off-site meeting of the Select Committee on Ending Gun & Gang Violence on Wednesday, June 7, 2006, 6:00 p.m., at the Ella Hill Hutch Community Center, 1050 McAllister Street, for the purpose of conducting a joint meeting session with San Francisco Police Commission in receiving community input regarding gun & gang violence in the City of San Francisco.

Enacted Number: M06-52

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Walter: expressed in song welcoming Walter Winchell in the past

Eugene Gordon Jr. expressed concern with issues relating to human rights

Female speaker; expressed concern with the SF Redevelopment Plan

Dr. Porter; showed interest with federal helicopter and a disaster plan and helicopters air pad locations in SF

Abdullah Megaheed; requested the Board to present a commendation to the young man who swam from Alcatraz

Louis Dillon; expressed concern with a Sunshine Ordinance violation relating to the Recreation and Parks Commission

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisors Alioto-Pier and McGoldrick were noted absent at 2:57 p.m.

060685 [Declaring May 16, 2006 Lonnie Butler Day] Supervisor Maxwell

Resolution declaring that Lonnie Butler is an honorary citizen and that May 16, 2006 is Lonnie Butler Day in the City and County of San Francisco.

Enacted Number: 318-06

ADOPTED

060686 [Public Works Week - May 22 - 26, 2006] Supervisors Peskin, Dufty

Resolution proclaiming May 22 through May 26, 2006 as Public Works Week in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 325-06

ADOPTED

060687 [Supporting Proposition 82, the Preschool for All Initiative] Supervisor Peskin

Resolution expressing support for California State Proposition 82, the Preschool for All Initiative.

Enacted Number: 322-06

ADOPTED

060688 [Urging President George W. Bush not to deploy the National Guard along the United States- Supervisors Sandoval, Mirkarimi, Ammiano

Mexico border]
Resolution urging President George W. Bush not to deploy the National Guard along the United States-Mexico border.

Enacted Number: 323-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Dufty, moved moved the Purely Commendatory Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved moved the Brown

Act Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

060691 [Commending Supervisor Tom Ammiano] **Supervisors Dufty, Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

Resolution commending Supervisor Tom Ammiano on his enshrinement to the San Francisco State's Allumni Wall of Fame.

Enacted Number: 319-06

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

060692 [S.F. Child Care Planning and Advisory Council Priorities for General Child Care and Development Expansion] **Supervisor Daly**

Resolution approving the San Francisco Child Care Planning and Advisory Council Priorities for General Child Care and Development Expansion.

Enacted Number: 324-06

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060668 [Landmark Designation of 557 Ashbury **Supervisors Mirkarimi,**

Street/1500-1512 Haight Street (the Richard P. Doolan/Norman T. Larson Residence and Storefronts)] Peskin

Ordinance Designating 557 Ashbury Street/1500-1512 Haight Street, the Richard P. Doolan/Norman T. Larson Residence and Storefronts, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings (Planning Department)

5/23/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. SUPPORTING DOCUMENTS: Planning Commission Resolution 17241, Landmark Board Resolution 600 and Landmark Designation Report.

060697 [Fee Adjustments for Planning Department Services] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 5/25/06 - Referred to Planning for dermination of environmental impact and review. Referred to the Small Business Commission. 06/01/06 - Response received from Planning. Exempt from CEQA. 06/14/06 - Response received from Planning, Planning Commission recommended the proposed ordinance with amendments.

060698 [Downtown Plan Monitoring] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Chapter 10E to delete some of the data currently required in the Planning Department's annual Downtown Plan Monitoring report that details the effects of downtown growth, to change the date for submittal of the annual report to the Board of Supervisors, and to include additional data in the required five-year report.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/22/2006.

060699 [Fee Adjustments for Planning Department Services] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 5/25/06 - Referred to Planning for dermination of environmental impact and Planning Commission review. Referred to the Small Business Commission. 06/01/06 - Response received from Planning. Exempt from CEQA. 06/14/06 - Response received from Planning, Planning Commission recommended the proposed ordinance with amendments.

060700 [Police Foot Patrols] Supervisor Mirkarimi

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern and Park Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

5/23/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/22/2006.

060701 [Adopting disability access standards for the Sunday closure of JFK Drive] Supervisor McGoldrick

Ordinance amending the Park Code by adding Section 6.12 to adopt disability access standards and authorized vehicular traffic use for the Sunday closure of John F. Kennedy Drive and related roads in Golden Gate Park and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060702 [Written Informed Consent and Pre-Test Counseling for HIV Testing] Supervisors Ma, Dufty

Draft Ordinance amending the Health Code to require written informed consent and pre-test counseling before an individual receives an HIV antibody test.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

060690 [Grant to supplement on-call physician coverage for trauma services at San Francisco General Hospital Trauma Center and add one new position]

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new grant in the amount of $240,860 from the California Emergency Medical Services Authority (CEMSA) to supplement on-call physician coverage at San Francisco General Hospital Trauma Center, to enter into an agreement for the use of these funds, and to add one (1.0) new position funded through this grant agreement; for the period of July 1, 2005 to June 30, 2006.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared as soon as possible.

060711 **[Encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate** Supervisor Ammiano

Resolution encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060712 **[Commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats]** Supervisor Ammiano

Resolution commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060713 **[California Global Warming Solutions Act of 2006]** Supervisor Daly

Resolution urging the California Legislature to adopt Assembly Bill 32-The California Global Warming Solutions Act of 2006.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060714 **[South of Market Project Area Committee]** Supervisor Daly

Resolution confirming the election results of members to the Project Area Committee for the South of Market Redevelopment Project Area and finding that the Procedures for the Election of Members to Redevelopment Project Area Committees were followed.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060715 **[National Hunger Awareness Day in San Francisco]** Supervisor Daly

Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 500 programs citywide that distribute food in recognizing June 6, 2006 as National Hunger Awareness Day in San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

060716 **[Declaring June 1, 2006 as Silence the Violence Day]** **Supervisors Daly, Mirkarimi**

Resolution declaring June 1, 2006 as Silence the Violence Day in commemoration of those who have died or have been victimized by violence in San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060717 **[Acknowledging the leadership and social services provided by Project Families In Need to the people of the City and County of San Francisco]** **Supervisor Maxwell**

Resolution acknowledging Project Families In Need this 23rd day of May 2006 and thank Project F.I.N. for providing social services to create a better quality of life for the community of San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060718 **[Honoring the memory of Deborah Gibbon]** **Supervisor Mirkarimi**

Resolution honoring the life, spirit, community activism and contributions to the local artistic community of Deborah Gibbon.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060719 **[Honoring the Joe Goode Performance Group]** **Supervisor Mirkarimi**

Resolution honoring the Joe Goode Performance Group on the occasion of their twentieth anniversary.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060720 **[Expansion of community policing in San Francisco Housing Authority-owned developments]** **Supervisor Mirkarimi**

Resolution urging the San Francisco Housing Authority to renew beyond June 30, 2006, and expand the size and geographical scope of its MOU with the San Francisco Police Department for supplemental law enforcement services dedicated to community policing in Housing Authority-owned developments.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060704 **[Office of Citizen Complaints]** Supervisor Ammiano

Hearing on the status of the Office of Citizen Complaints.

5/23/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be heard before the Government Audit and Oversight Committee.

060705 **[Status of labor affairs at San Francisco's Sutter/CPMC]** Supervisor Peskin

Hearing to be updated on the status of labor affairs at San Francisco's Sutter/CPMC, including the impact, if any, of the situation on the City's health care system, economy and City budget.

5/23/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be heard before the government Audit and Oversight Committee.

060706 **[Landmark Tree Implementation and Removal Criteria]** Supervisor McGoldrick

Hearing to adopt the Landmark Tree Implementation and Removal Criteria prepared b the Urban Forest Council. This criteria has been created by the Urban Forest Council in accordance with File No. 051458, Ordinance No. 17-06.

5/23/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

060693 **[Appointment, Planning Commission - Kathrin Moore]** Supervisor Peskin

Motion approving the Board of Supervisors President Peskin's nomination of Kathrin Moore to the Planning Commission, term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to

approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - (May 23, 2006.)

060694 [Appointment, Planning Commission - Kathrin Moore] — Supervisor Peskin

Motion rejecting the Board of Supervisors President's appointment of Kathrin Moore to the Planning Commission, term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - (May 23, 2006.)

060703 [Rules of Order - Establishing Select Committee on Disaster Preparedness] — Supervisor Peskin

Motion establishing a Select Committee on Disaster Preparedness, pursuant to Board Rule 5.26.

5/23/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requested verbally to calendar this item at the June 8, 2006 meeting.

060721 [Waiver permitting City employees to assist the Department of Elections with the June 6, 2006 election] — Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 6, 2006 election.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

060695 [Charter Amendment - Setting minimum qualifications for City officer or employee designated to manage the City's emergency planning and response] — Supervisors Alioto-Pier, Peskin, Mirkarimi

Charter amendment (First Draft) to add Section 3.106 to set minimum qualifications for the City officer or employee designated to manage the City's emergency planning and response.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Civil Service Commission; Human Resources; Employee Relations Division.

060696 **[Charter Amendment - Setting the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff]** Supervisors Peskin, Alioto-Pier, Mirkarimi, Dufty

Charter amendment (First Draft) to amend Section A8.409-1 to provide that the Civil Service Commission shall set the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff every five years, with annual cost-of-living adjustments during the five-year salary cycle.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Civil Service Commission; Human Resources; Employee Relations Division; City Attorney; District Attorney; Public Defender; Assessor-Recorder; Treasurer; Sheriff; Retirement.

060707 **[Charter Amendment - City Elections In Even-Numbered Years]** Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff and District Attorney so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Department of Elections; Sheriff; District Attorney; Board of Education; Community College District; City Attorney; Treasurer; Public Defender; Assessor-Recorder.

060710 **[Charter Amendment - Creating an Open Space Acquisitions and Park Renovation Fund and to fix a base annual level of funding for the Recreation and Park Department]** Supervisor Maxwell

Charter amendment (First Draft) to repeal and adopt a new Section 16.107, to create an Open Space Acquisitions and Park Renovation Fund and to fix a base annual level of funding for the Recreation and Park Department.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Recreation and Parks Department; Port; Department of Public Works; Public Utilities Commission; Department of the Environment. Referred to City Attorney for approval as to form and preparation of a legislative digest.

PROPOSED ORDINANCES

060670 **[Settlement of Lawsuit - Fire & Casualty Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by The Fire & Casualty Insurance Company against the City and County of San Francisco for $700,000; the lawsuit was filed on August 14, 2002 in San Francisco Superior Court, Case No. 411-478; entitled The Fire & Casualty Insurance Company v. City and County of San Francisco. (City Attorney)

5/15/06, RECEIVED AND ASSIGNED to Rules Committee.

060671 **[Settlement of Lawsuit - Yekaterina Ramirez]**

Ordinance authorizing settlement of the matter of Yekaterina Ramirez v. City and County of San Francisco for $140,000. The lawsuit was filed on August 26, 2004, in San Francisco Superior Court, Case No. 434181; entitled Yekaterina Ramirez v. City and County of San Francisco, Public Utilities Commission, and Does 1 through 25. (City Attorney)

5/15/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060634 **[Authorize payment of performance fees for Year 5 of the Water Infrastructure Partners contract for an amount not to exceed $230,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 5 of the Agreement with the Water Infrastructure Partners for an amount not to exceed $246,944. (Public Utilities Commission)

(Fiscal impact.)

5/15/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti at the following locations: Street sign - Grove and Divisadero.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the Department of Motor Vehicles building and sign at the intersection of Fell Street and Baker Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti at the following locations: Light Box - Baker and Fulton and Light Box - Gough and Fulton.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newspaper vending boxes at the following locations: Baker and Hayes, Haight and Pierce, Haight and Steiner, Haight and Fillmore, and Haight and Divisadero.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations: Phone Box - Broderick and Golden Gate, Mail Box - Haight and Baker, and Emergency Box - Broderick and Golden Gate.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report

on the status of removing graffiti from the following locations: Muir School - Corner Webster and Page, Sidewalk along Page, Painted tree boxes, New Traditions School - Ashbury and

In Memoriams

Frederic Lee Carver - Entire Board

Lawrence "Ramrod" Shurtliff - Supervisor Mirkarimi

Andrew Martinez - Supervisor Mirkarimi

Katherine Dunham - Supervisor Mirkarimi

Deborah Gibbon - Supervisor Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:40 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 20, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its

members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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